**Village Board Meeting August 21, 2017**

A presentation from Key Insurance & Benefits Service, Janet Steggles and Madonna

Verrastro, was given at 5:00 PM.

**PRESENT**

Mayor Collesano, Trustee Sutherland, Trustee Eydt, Trustee Gibson, Village Law Counsel Joseph Leone, Supt. of Public Works Brolinski, Deputy Clerk Myers, Deputy Treasurer Walker, Recreation Director McDermott and Clerk Treasurer Salada.

The presentation was interactive with the Village Board and department heads. Many questions were answered. Changing the wording for the facility use contract was discussed and the Insurance representatives gave out template handouts to follow for accuracy.

**6:00 PM**

**PRESENT**

Mayor Collesano, Trustee Gibson, Trustee Sutherland, Trustee Eydt, Police Chief Previte, Supt Brolinski, Engineer Marino, Zoning Officer DeVantier, Building Inspector Candella, Fire Insp. Beebe, Clerk Treasurer Salada.

**PUBLIC HEARING**

Mayor Collesano opened the public hearing at 6:02 PM for250 S First St. Lewiston Taylor Crystal, is requesting a Special Use Permit for 1”.1” and 2’.3” allowing the Crystals to build a front porch with the dimensions of 8’ deep x 20.5’ wide.

After a brief discussion Mayor Collesano asked if anyone from the public had any questions or comments. No one did.

The public hearing closed at 6:02 PM

**PUBLIC HEARING**

Mayor Collesano opened the public hearing for the request from Zach Casale of 705 Cayuga St. Lewiston requesting four parking spaces in the village right of way on South Seventh St. Lewiston.

James Fittante of Fittante Architecture spoke approached the Village Board to answer questions; stating actually the parking spots numbered twelve and thirteen are new spots the others are already existing and being used. Fittante referenced the green space buffer.

The Village Board of Trustees did not have any questions, and when asked the public did not have any questions. The public hearing closed at 6:03 PM.

**CALL TO ORDER**

Mayor Collesano called the Village Board meeting to order with the Pledge of Allegiance.

**RESIDENCE**

Mayor Collesano asked if any residents would like to come forward and speak; He said this is the best part of the meeting we get to hear your thoughts, concerns and ideas.

Jonathan Loughran of 360 South Seventh Street stood and thanked the Village board for the temporary Stop Sign at the intersection of South Seventh and Tuscarora Streets. This has helped us out a lot but I was wondering how I would get a permanent Stop Sign placed at that intersection.

Mayor Collesano asked Police Chief Previte if he had a recommendation.

Police Chief Previte did not have a recommendation.

Supt. Brolinski spoke in favor of a permanent Stop Sign at the interception of South Seventh and Tuscarora Streets. Mayor Collesano agreed.

**MOTION TO SET A PUBLIC HEARING FOR STOP SIGN SEPT. 18, 2017 at 6:00 PM**

Trustee Eydt made a motion to schedule a public hearing for a Stop Sign to be placed at the intersection of South Seventh and Tuscarora Streets on September 18, 2017 at 6:00 PM.

Trustee Sutherland seconded this motion and it passed unanimously.

Cathy Federspiel of 365 S. Seventh St. asked if a temporary Stop Sign could be placed at that intersection for the Jazz Festival.

Supt. Brolinski said he will put it there for the Jazz Festival and the rest of the Artpark Concerts, until it is decided whether or not to place a permanent Stop Sign at that intersection.

**CORRESPONDENCE**

Trustee Eydt spoke about the recent meeting he attended at the Town of Porter Town hall pertaining to the high water levels on the Niagara River and Lake Ontario. The subject of this informational meeting was to assist with filing for losses due to the high water levels. Trustee Eydt said over two hundred people attended the meeting.

Trustee Eydt said that the Town of Porter has information and paperwork if anyone was interested in acquiring this paper work. The individuals would need receipts for the repair work or supplies associated with the property damage.

Trustee Eydt also said that the committee in charge of this IJC have resigned leaving opening; President Trump will appoint individuals who live on the Great Lakes to this Commission.

**MOTION TO APPROVE MINUTES**

A motion was made by Trustee Gibson seconded by Trustee Sutherland and passed unanimously to approve the minutes from the July 17, 2017 Village Board Meeting.

**BILLS**

Trustee Eydt made a motion saying it was his pleasure to audit the July 17, 2017 to August 21, 2017 Vouchers. Trustee Gibson seconded the motion and it passed unanimously to pay debts in the following amount:

GENERAL FUND $380,534.82 TRUST & AGENCY $1,547.92

**REPORTS**

Police Chief Previte reported that funding became available for a Resource Officer at the Niagara Wheatfield School District and Officer Rougeaux has been assigned this position.

Police Chief Previte continued saying he had three new Police Officers and he planned to bring them to an upcoming Village Board meeting to introduce them to the Village officials.

Building Inspector Candella said his written report had been submitted to the Clerk’s office. Candella highlighted the 430 West Lane property saying he had been in contact with the owner (Zeintara) and was told the insurance money had come through to repair the damage to the property.

Candella said the drainage problem on Mt. View Drive was repaired with a retaining wall.

Zoning Officer DeVantier reported that he also had submitted his written report to the Clerk’s Office for distribution, and highlighted his outstanding property complaints. Officer DeVantier said he plans to get together with Trustee Conde who was appointed as the Committee of One to inspect the properties and submit a report. The properties are; 145 N Second Street, 140 N First Street, and 430 West Lane.

Fire Inspector Barry Beebe stated that he had submitted his report for distribution also.

Inspector Beebe commented that there was a parking problem at the Rite Aid Plaza during the Art Festival. The fire lanes were completely blocked with parked cars.

Mayor Collesano recommended that the owner place no parking signs in the fire lanes. He also suggested that that area be policed.

Law Counsel Leone said he is working on the amendments to the Village Code to firm up the law to be clear and allow the Lewiston Police to enforce the private parking lots.

Chief Previte said a fire lane is enforceable by the police. We can ticket but even if we do it does not take care of the problem all day long.

Zoning Officer DeVantier said I talked to the plaza manager I think we have to come up with a solution and contact him with our ideas. One of the problems with that lot is the striping is faded.

Zoning Officer DeVantier said Inspector Beebe and I will get together and take a look at that parking lot area.

Trustee Sutherland asked that Zoning Officer DeVantier speak with the owner also.

Recreation Director McDermott reported that the Recreation Department was scheduled to open the same day as Lewiston Porter School System. McDermott said his schedule for Fall 2017 was attached to his report. McDermott said last month we had a lot of renovations going on. The floor renovation took longer than expected but it is complete now.

Recreation Director thanked the Department of Public Works for all the work they did cleaning up with the projects.

Skip Hauth the Project Liaison reported that both projects have been quite on the sites.

Skip Hauth said that 765 Fairchild Place project has completed the first submission with a few minor modifications.

Skip Hauth also said the Ellicott Development project has submitted some minor modifications.

Skip Hauth predicted that in mid-September he expected a fair amount of activity on the construction sites. Both sites are currently secure.

Trustee Gibson commented that during the Art Festival several cars were parked in the flats area off North Eighth Street.

Skip Hauth said he would get ahold of the Project Manager to notify him of that development.

Skip Hauth said he was told that the Ellicott Developers will do the soil/land remediation as they go through and build, not as a separate process. Skip Hauth expressed that he felt this was the preferred way to do the remediation of the soil. He also said he will be keeping a close eye on the project.

Skip Hauth asked that the Police keep a close eye on the vehicles parking on North Eighth Street. There is signage in place; but individuals are not paying attention to the signage and still park on North Eighth Street. I see this as a problem when construction starts.

**OLD BUSINESS**

**SPECIAL USE PERMIT 250 S FIRST STREET**

A motion was made by Trustee Sutherland and seconded by Trustee Gibson to approve the request from Taylor Crystal and Kelly Crystal to enter into a Special Use Permit with the Village of Lewiston. This permit will allow the Crystals to build a 8 x 20.5 foot front porch with roof Using 1’1” of Village Right of Way on the right hand side and 2’.3” on the left hand side, as long as the proper insurance with liability was acquired additionally naming the Village of Lewiston. This approval was also conditional on the recommendation from the Niagara County Planning Boards recommendation.

Mayor Collesano asked Clerk Treasurer to poll the Village Board:

Trustee Eydt “YES” Trustee Sutherland “YES

Trustee Gibson “YES” Mayor Collesano “YES”

**NEW BUSINESS**

**USE REDBRICK MUNICIPAL BUILDING FOR TOUR OF HOMES TICKETS**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Leandra Collesano as TOH 2017 Event Coordinator for the Historic Association of Lewiston requesting use of the Village Municipal Building 145 N 4th St. Lewiston front door entryway and hallway. This request is for December 2, 2017 and December 3, 2017 for the annual Tour of Homes ticket pick up and point of sale location. This approval was conditional on proof of liability insurance naming the Village additionally insured.

Mayor Collesano asked that the Village Board be polled by Clerk Treasurer Salada:

Trustee Gibson “YES” Trustee Sutherland “YES”

Trustee Eydt “YES” Mayor Collesano “YES”

**APPROVAL OF FIRST SUBMISSION 765 FAIRCHILD PLACE**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to accept the first submission of the revised development site for 765 Fairchild Place as approved by the Planning Commission on July 25, 2017 and with variances as approved by the Zoning Board of Appeals on July 26, 2017.

Mayor Collesano asked that the Village Board be polled by Clerk Treasurer Salada:

Trustee Gibson “YES” Trustee Sutherland “YES”

Trustee Eydt “YES” Mayor Collesano “YES”

**SPECIAL USE PERMIT FOR CASALE SOUTH SEVENTH STREET RIGHT OF WAY**

A motion was made by Trustee Sutherland seconded by Trustee Eydt and passed unanimously to approve the request from Zach Casale of 705 Cayuga St., Lewiston to approve a Special Use Permit requesting four parking spaces in the Village Right of Way on South Seventh St. adjacent to his property. This approval is conditional upon insurance naming the Village of Lewiston additionally insured.

Mayor Collesano asked that the Village Board be polled by Clerk Treasurer Salada:

Trustee Eydt “YES” Trustee Sutherland “YES”

Trustee Gibson “YES” Mayor Collesano “YES”

**2017 ADVANCED ACCOUNTING FOR DEPUTY TREASURER WALKER**

A motion was made by Trustee Eydt seconded by Trustee Sutherland and passed unanimously to approve the request from Clerk Treasurer Salada to approve NYS Office of the State Comptroller 2017 Governmental Accounting Classes (Accounting Principles and Procedures – Advanced class), for Deputy Treasurer Walker, October 3, 4, 5, 2017 the cost to be borne by the Village will come out of A00-1325-4120

**2017 GOVERNMENTAL ACCOUNTING FOR DEPUTY CLERK MYERS**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Clerk Treasurer Salada to approve NYS Office of the State Comptroller 2017 Governmental Accounting Classes (Introduction to Governmental Accounting – Basic class), for Deputy Clerk Myers, October 17, 18, 19, 2017 the cost to be borne by the Village will come out of A00-1325-4120.

**MEMERSHIP CHANGE FOR LEWISTON FIRE CO. #1**

A motion was made by Trustee Sutherland seconded by Trustee Gibson and passed unanimously to approve the request for Lewiston Fire Co #1 to drop **Santana Coon** a Conditional Member from there rolls.

**MEMBERSHIP ADDITIONS FOR LEWISTON FIRE CO. #1**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Lewiston Fire Co #1 to accept the following conditional members: **Lauren McLendon, Paul Marotta, Kara Schul, Chris Sharp and Keith Parmer.**

**BLOOD DRIVE APPROVAL**

A motion was made by Trustee Eydt seconded by Trustee Sutherland and passed unanimously to approve the request from Marybeth Hall of the American Red Cross Blood Services to allow the blood mobile to park at Academy Park parking spaces on Saturday, October 21, 2017 at 8:00 AM to 2:30 PM. They are requesting this space next to the Chamber Building adjacent to the public restrooms at Academy Park. This blood drive is hosted by Tops Supermarket which is the reason for the request to be at that specific area.

This approval was conditional until proper insurance coverage was in place.

**EXECUTIVE SESSION**

A motion was made by Trustee Sutherland seconded by Trustee Gibson and passed unanimously to enter into executive session immediately following this Village Board meeting to discuss proposed litigation.

**PUBLIC WORKS TRAINING**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve Public Works Training School for Supt. Brolinski October 16-18 2017 in Lake George, NY. The expense is to be borne by the Village of Lewiston; coming out of A00-5010-4120.

**KIWANIS CLUB 60th ANV. FIREWORKS**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Kiwanis Club of Lewiston to have a ten minute fireworks display as a component of the Peach Festivals 60th Anniversary. This request is for the Plateau area on September 8, 2017 at 10:00 PM.

**AGREEMENT WITH BOUNCE N AROUND**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Bounce n Around to schedule Saturday and Sunday events in the Redbrick Gymnasium with the approval of the Recreation Director per Recreation Schedule. Bounce-n-Around will give a donation to the Recreation Department in the amount of $10 per hour for the use of the gymnasium.

Trustee Eydt verified that Bounce n Around had the proper insurance coverage.

**615 CAYUGA STREET LIMB INCEDENT**

Mr. Schuster of 615 Cayuga St. stood to address the Village Board about his inquiry to damage to his vehicle he said happened when a limb fell from a tree in the Village Cemetery onto his vehicle. The damage to his vehicle cost $2,173. But he is only looking to be reimbursed the deductible amount of $500.

Trustee Sutherland asked him if the car parked right next to his in the photo was damaged also.

Mr. Schuster said no, the other vehicle was not damaged.

Trustee Sutherland asked Mr. Schuster if he had gotten the Police Report as Clerk Salada stated was required in the letter she sent to him after the Village Board considered Mr. Schuster’s request at the July 17, 2017 Village Board meeting.

Mr. Schuster said no he did not get a Police Report for the incident, isn’t it too late now.

Police Chief Previte said a Police Report could still be done for the damage to his car.

**DISCUSSION**

Discuss Zoning Officer DeVantiers email regarding Unsafe Buildings and Structures Village Code Chapter 6-16 – Article II

Trustee Eydt said so the next step in this process is for you (Ed DeVantier) and Trustee Conde as a Committee of One will inventory the unsafe buildings and structures.

Zoning Officer DeVantier said yes I don’t think we will have access to the inside of the structures but we should be able to determine if they are inhabitable from the outside. Once this is done the owners will be given thirty days to come up with a plan to repair or we will start proceedings to have the buildings torn down.

Building Inspector Candella said we should be able to get into the West Lane property. I have been in the property and found the beams to be in place.

Ridge Street Parking - Trustee Eydt said parking has always been a problem on Ridge Street. We need to take a good hard look at Ridge Street. I took a look and thought if we could widen Ridge St. a few feet it would create a perpendicular parking area on the side of the road. We could add ten to twelve parking spots on the south side to give a little relief. This would give us twenty to twenty one parking spots on Ridge Street.

Trustee Sutherland said he drove down Ridge Street to take a look at this proposal and I think it would be a good spot to add more parking.

Trustee Eydt said we wouldn’t have to pave it for now just lay down some millings.

Mayor Collesano suggested that the Supt. of Public Works and Engineer Mike Marino take a look at this proposal and get back to the Village Board with their input.

Supt. Brolinski said it was his impression that Ridge Street was currently designed in a way to keep people from backing out onto the roadway. I see it all the time on South Ninth Street by Tops. I have seen many near misses.

Junction Box at Academy Park: Trustee Sutherland said we have looked at this many times and nothing has become of it. The last I heard Deputy Supt. Wills was going to take a look at this and come up with a plan. We have lived with this a long time.

Drainage on Cayuga St. / Event Center: Engineer Marino said his associates have come up with a sketch developing a swale going up a little further toward South Ninth Street and the Tops Supermarket location. The owners of the Event Center seemed to like this idea.

Trustee Sutherland said we have a letter from the owner that the current situation is not safe because ice builds up at that intersection.

Engineer Marino said it seems that there is more of an issue for the property owner; the parking lot on that property could use to be graded to improve the drainage.

Trustee Sutherland asked when Supt. Brolinski thought he could schedule the improvements for the drainage at Cayuga Street and Portage Road.

Supr. Brolinski answered that it would most likely be October of 2017 at the earliest.

Trustee Sutherland said keep moving forward.

Engineer Marino said he realizes that the big issue is the winter months.

Trustee Sutherland spoke about creating an account for the Village Monuments; Sutherland said that the Historic Association approached him informing him that they have funds from donations and other sources to do maintenance and upkeep for the two monuments (Freedom Crossing and the Tuscarora Monument). He was wondering what the Village Boards thoughts were to create an account like the Village Cemetery Account to pay for future maintenance. A contract would have to be drawn up saying who would be responsible for what, when and where.

Mayor Collesano said a special Trust and Agency account.

Trustee Eydt said currently they have funds and the monuments will still be in the Village of Lewiston when we are not anymore. So we should set something up for the future.

Trustee Sutherland said for example Arborist Rob Brennan is planning on getting with a representative to talk about the White Pine Trees around the Tuscarora Monument being trimmed. The funding placed in a Village Trust and Agency account would be for things like this instead of coming out of the Dept. of Public Works budget line.

Police Chief Previte said so that the Village Board is aware Artpark is having a concert on the Friday, September 8, 2017 at the same time and day as the Annual Peach Festival. The Village will be a little messy. Artparks event is a 2500 to 3000 ticket event.

**REPORTS**

Clerk Treasurer Salada reported that the process has begun to start the duplicating Clerk’s Office Records with the award from the NYS Archives Grant. The Clerk’s office has been signed up for a variety of workshops and training in September and October 2017 which is apparent form the agenda. These trainings and workshops keep us current.

Clerk Treasurer Salada added that Deputy Myers and I are volunteering at the Jazz Festival information tent on Saturday, August 26, 2017 from noon to 2:00 PM stop by and see us.

Supt. Brolinski reported that his annual paving is done, and the sidewalk replacements and repairs he scheduled are done to date. I am getting Traffic Barrels to set up for the Jazz Festival, and we are planning on stripping the streets this week. The Redbrick parking lot will be sealed and restriped during the weekend of September 2, 2017 and September 3, 2017.

We have a lot going on the new recycling truck is almost ready and the bus is broken down said Supt. Brolinski.

Law Counsel Joseph Leone reported that he has been involved along with Zoning Officer DeVantier in the drainage problems at 599 Mt. View Drive. I have also attended court with Zoning Officer Ed DeVantier on two matters. I hoped to have the prosed Local Law on Parking Lot enforcement done for the next meeting but now with the insurance information I will be working on indemnifying policy first.

**BOARD REPORTS**

Trustee Eydt reported that he received his debit card in the mail today from the Town of Lewiston.

Trustee Eydt also said he was in contact with Dr. Patrick Alf of the Neptune Ski Club recently and he said that the temporary fencing at Lewiston Landing is not effective. The fencing has been pulled down and the caution tape ripped away.

Supt. Brolinski said the next step is to contact a fencing company and put up chain link fencing around the boat slips and walkway area.

Trustee Eydt told Supt. Brolinski to get prices and see what the charges would be for chain link fencing.

Mayor Collesano reported that the Art Festival was successful; we had a little rain but it was well attended.

Mayor Collesano also stated that he was involved in a Press Conference taping for the Jazz Festival last week this will air next week on AM Buffalo channel 7. The Jazz Festival is next weekend August 25, 2017 and August 26, 2017.

**ANNOUNCEMENTS**

**The following announcements were read aloud:**

There will not be a Village Board Work Session Monday, September 4, 2017 at 6:00 PM due to the Labor Day Holiday.

The Village board of Trustees will hold a work session on Tuesday, September 5, 2017 at 6:00 Pm in the Morgan Lewis Village Boardroom.

The next Planning Board meeting is scheduled for September 11, 2017 at 6:30 PM in the Morgan Lewis Village Boardroom, 145 N 4th St. Lewiston.

The Zoning Board of Appeals is scheduled to meet for any appeals on September 12, 2017 at 6:30 in the Morgan Lewis Village Boardroom 145 N 4th St. Lewiston.

The next Historic Preservation Commission meeting will be held on Monday, August 28, 2017 at 6:00 PM in the Morgan Lewis Village Board room.

**ADJOURN**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to adjourn the Village Board meeting at 7:35 PM and enter into executive session.

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Amy Salada, Clerk Treasurer

**EXECUTIVE SESSION**

**PRESENT**

Mayor Collesano, Law Counsel Joseph Leone, Trustee Sutherland, Trustee Eydt, Trustee Gibson and Clerk Treasurer Salada.

There was a brief discussion between the Village Board of Trustees and Law Counsel Joseph Leone. No action was taken during this executive session.

A motion was made by Trustee Gibson seconded by Trustee Sutherland and passed unanimously to adjourn the executive session and enter into the open meeting at 8:05 PM

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Amy Salada, Clerk Treasurer

**REDBRICK LEASE – ADAM THOMAS**

A motion was made by Trustee Eydt seconded by Mayor Collesano and passed unanimously to approve the lease between Adam Thomas and the Village of Lewiston for one year (10/1/2017 to 09/30/18).

Meeting adjourned for the night at 8:10 PM with Trustee Sutherland making a motion Trustee Gibson seconding and the motion passing unanimously.

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Amy Salada, Clerk Treasurer