

PUBLIC HEARING – on the proposed changes to the Village Code section 13, D, 3, a2, projecting signs as recommended by the Planning Commission.

Mayor Collesano opened the public hearing at 6:00 PM:

Ed Walker Secretary to the Planning Commission presented from the audience saying this was a request from the local businesses that the Planning Commission acted on. The proposed change to the Sign Law section 13, D, 3, a2 projecting signs would be up to six square feet for the current up to two square feet.

Anne Welch, Planning Commission member said we reviewed the sign law and saw that the current projecting sign law allowance was very small. With the Village of Lewiston being a walkable community and with the trees growing this change would be positive for the local businesses. We used the Stone House projecting sign as an example; it doesn't have to be six square feet it says to not exceed six square feet.

Claudia Marasco, Planning Commission member said if at all possible we will request the projecting sign be made out of metal.

Trustee Sutherland said I think this is a good idea; I think it's time to update the sign law. The problem is that the NY State right of way may affect approval of projecting signs. We have had a discussion with the NYS DOT Officials and have been told that they cannot approve any new signs or other encroachments in the right of way. They will grandfather the ones that already exist.

Anne Welch added some properties on Center Street could be approved for a projecting sign without a state right of way encroachment.

Trustee Eydt said I would like to change that sign law to include that the sign has to have historic character to it for approval.

Anne Welch added that would be worked into the approval.

Mayor Collesano said as long as the sign is professional and tastefully done.

Mayor Collesano closed the public hearing at 6:07 PM.

PRESENT

Mayor Collesano, Trustee Conde, Trustee Eydt, Trustee Sutherland, Trustee Gibson, Law Counsel Joseph Leone, Zoning Officer Ed DeVantier, Police Chief Previte, Supt. Brolinski, Engineer Michael Marino and Clerk Treasurer Salada.

EXCUSED

Fire Inspector Barry Beebe and Building Inspector Candella

CALL TO ORDER

Mayor Collesano asked everyone to please stand for the Pledge of Allegiance at 6:08 PM to open the meeting.

MOMENT OF SILENCE

Mayor Collesano asked everyone to stay standing for a moment of silence in honor of Peter MacLaren who served on our Zoning Board of Appeals who recently passed away.

RESIDENCE

No residents came forward.

CORRESPONDENCE

RIVER REGION CHAMBER TO USE MORGAN LEWIS VILLAGE BOARDROOM

Trustee Sutherland made a motion and Trustee Gibson seconded the motion to approve the request from Niagara River Region Chamber to use the Morgan Lewis Village Boardroom for meetings as indicated in the correspondence of December 11, 2017. This passed unanimously.

GARDEN CLUB TO USE SEWING ROOM FOR MEETINGS

Trustee Eydt made a motion and Trustee Sutherland seconded the motion to approve the Garden Clubs request to hold preparation meetings for the Garden Festival in the Sewing room at the Redbrick Municipal building. This motion passed unanimously.

LEWISTON JAZZ FESTIVAL BOARD OF DIRECTORS TO USE THE MORGAN LEWIS BOARDROOM

Trustee Gibson made a motion and Trustee Sutherland seconded the motion to allow the Lewiston Jazz Festival Board of Directors request to hold meetings in the Morgan Lewis Village Boardroom once a month in 2018. This motion passed unanimously.

MINUTES

A motion was made by Trustee Eydt and seconded by Sutherland with a correction that Trustee Eydt said he could not attend the December 21, 2017 Tri Community Sewer meeting. Unanimous approval of the November 20, 2017 Village Board meeting minutes and the December 4, 2017 Village Work Session minutes pending the requested changes.

BILLS Trustee Eydt said he found the December 2017 vouchers to be in order and made a Motion to pay them as they stand Trustee Sutherland seconded the motion and it passed Unanimously to pay the following amounts:

GENERAL FUND \$54,362.53 TRUST & AGENCY \$430.57

REPORTS

Police Chief Previte reported that he has spoken with Supt. Brolinski to schedule arrangements for the installation of cameras at the intersection of Center Street and Fourth Street and Center Street and Ninth Street.

Police Previte also reported that at the next Town of Lewiston meeting they will be attesting body cameras for the Lewiston Police Patrolmen. Donations for these cameras came from the Stop DWI program, Francis William, and Senator Ortt.

Zoning Officer Ed DeVantier said his written report was submitted.

Recreation Director McDermott reported that his Christmas events were all successful serving approximately four hundred sixty kids and parents.

Recreation Director McDermott explained that he is starting a new program dedicated to families with child who have mental health diagnosis. This program is with Compeer Niagara to provide recreational opportunities for children and adults that few recreational outlets. We will be servicing up to fifteen children with mental health diagnosis and their siblings for this free program. This will be starting Friday, January 26, 2018.

Recreation Director McDermott also mentioned he has a 3 on 3 Basketball tournament, Adult Bingo, and the Spring Fling on May 6, 2017.

Skip Hauth Project Liaison reported that he didn't expect to see much action with the Ellicott Development project or the 765 Fairchild Place project for the next three months.

Claudia Marasco reported for the Planning commission, saying just signs at our meetings.

Pam Hauth Village Historian said Tuesday, December 19, 2017 at 8:00 AM we will celebrate the 204th year anniversary of the Tuscarora Indians assisting Lewiston residents

during the burning of Lewiston. This will be held at the Tuscarora Hero's Monument at Portage Road and Center Street.

Hauth said three prominent Tuscarora Indians passed away this week and we were hoping the flag could be lowered at the Tuscarora Monument.

Trustee Sutherland said I request that all flags be lowered to half-mast in honor of those who passed this week.

Supt. Brolinski said my department will lower them.

LIAISON REPORTS

Trustee Sutherland said he was able to get ahold of all the applicants who were interested in holding a seat on the Village Boards and Commissions. We might want to advertise to keep applications on file for future openings.

Mayor Collesano said yes I think we should advertise.

Trustee Sutherland also reported that he and Trustee Conde went to the Zoning Board of Appeals meeting on Tuesday, December 12, 2017. It was an interesting meeting; on the agenda was a request for a front and side setback on South third Street lot number 210. This request was voted down.

Mayor Collesano said he was contacted by a member of the Lions Club Lynn Bahringer is hoping to raise funds and awareness of Diabetes by holding a 5k run. I plan to meet with her on Wednesday, December 20, 2017 at 10:00 AM. Trustee Sutherland could you be at that meeting.

Trustee Sutherland replied yes I can attend.

OLD BUSINESS

There was no old business brought forward.

NEW BUSINESS

MIGHTY NIAGARA HALF MARATHON

A motion was made by Trustee Sutherland seconded by Trustee Gibson and passed unanimously to approve the request from Maureen Rizzo to hold the annual Mighty Niagara Half Marathon on Saturday, September 15, 2018. This event starts at Artpark and uses various village streets.

HOLIDAY SCHEDULE

A motion was made by Trustee Conde seconded by Trustee Eydt and passed unanimously to approve the request from Supt. Brolinski to allow the Public Works Dept. to use the Christmas Eve Holiday on Friday, December 22, 2017 in the afternoon and the New Year's Eve Holiday on Friday, December 29, 2017 in the afternoon. The Village Code states that if a holiday falls on a Sunday the Holiday is taken on Monday; this year Christmas falls on Monday as does New Year's Day so following this law is not possible.

EXECUTIVE SESSION

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

MOVE FORWARD WITH CHANGE TO THE SIGN LAW

Trustee Sutherland made a motion to move forward with the proposed changes to the Village of Lewiston Sign Law section 13, D, 3 a2 projecting signs. The change is to allow up to a six square foot projecting sign. The current law allows up to a two square foot projecting sign. Trustee Conde seconded the motion and it passed unanimously.

DISCUSSION

Law Counsel Joseph Leone opened discussion on the proposed changes to Local Law on Trees Section 17-7. Law Counsel Leone said the current law 17-7 Trees in the village right of way should not be removed with the approval of the Village Board of Trustees. 1-7 a says if there are not any specifics then the fine is Two hundred fifty dollars. This is not exclusive of criminal penalties as well as or including civil remedies. The Local Law says Two Hundred Fifty dollar fine for removing a tree unless civil remedy then three times the value of the tree may also be charged. If presumed that the removal was done willfully then the fine is one thousand dollars or three times the value of the tree. The one thousand dollars comes from the maximum amount of fine in New York State for a misdemeanor.

Trustee Eydt said to Law Counsel Leone I appreciate the work you have done on this. So if we do nothing more we can charge a two hundred fifty dollar fine. My opinion is what's two hundred and fifty dollars; when it costs three thousand dollars to take a tree down.

Law Counsel Leone stated the value of the tree comes from an Arborist to tell us the value of the tree. If you decided to take legal action you use the Arborist estimation.

Trustee Sutherland said to Law Counsel Leone I like the way your proposed Local Law is written as stands.

Mayor Collesano gave a brief explanation to the audience why this subject was being discussed as follows; a party came before the Village Board requesting to take a tree in the Village Right of Way down for various reasons. This party was denied his request. He left and then removed the tree anyways.

Trustee Sutherland said trees on Village Property do not belong to one individual they belong to all of us.

MOTION FOR A PUBLIC HEARING JANUARY 16, 2018 ON THE PROPOSED CHANGE TO 17-7 TREES

A motion was made by Trustee Eydt seconded by Trustee Sutherland and passed unanimously to hold a public hearing to change Local Law 17-7 Trees at the next Village Board meeting (January 16, 2018). The motion passed unanimously.

Trustee Conde said he spoke to Ami Patrick of Embody Health and Wellness in rooms one and three and she was interested in the proposed rental of room eleven over the gymnasium for high impact classes. Ami Patrick offered to pay Two hundred dollars per month. The reduced rate was due to the fact that she would only be using the room half the time.

Recreation Director Brendan McDermott expressed concern for the ceiling tiles in the gymnasium below room eleven. This could cause a hazard while the high impact classes are held.

Supt. Brolinski said he would set up scaffolding up and check the ceiling tiles in the gymnasium.

Trustee Conde said he would work on a project to replace the ceiling tiles if needed.

Trustee Sutherland suggested netting.

MOTION TO RENT ROOM 11 TO AMI PATRICK OF EMBODY HEALTH AND WELLNESS

Trustee Sutherland made a motion and Trustee Conde seconded the motion to rent room eleven to Ami Patrick of Embody Health and Wellness for two hundred dollars per month.

REPORTS

Clerk Treasurer Salada reported that the annual Village Newsletter is being worked on and would be ready for distribution in January 2018. She added that she would like to include a section about applying for the Village Boards and Commissions.

Clerk Treasurer Salada wished everyone an enjoyable, safe holiday.

Supt. Brolinski reported that he attended the FEMA introduction meeting on how to set up websites.

Supt. Brolinski said the Recycling truck went down again and it doesn't look good.

Supt. Brolinski added the boiler in the Redbrick Municipal Building blew the glass out today. Steve's Heating and Cooling were there within an hour to repair the boiler.

Supt. Brolinski wished everyone a Merry Christmas, drive safe.

Supt. Brolinski said I would like to praise my guys for the job they did with the recent snow we received.

Trustee Sutherland thanked Supt. Brolinski for the five year equipment plan.

Supt. Brolinski said all vehicles are subject to state bid pricing.

Mayor Collesano asked if the list had the vehicles in priority order.

Supt. Brolinski answered yes. He added that we do have an application in process for grant funding to replace the recycling truck. Bernie Rotella hinted that it would be after the first of the year before we get any news.

Trustee Eydt asked what the next large purchase they would have to make would be.

Supt. Brolinski said a new lawn mower.

Engineer Marino said he received a copy of the draft from FEMA for the flood insurance policy; I will compare my notes and get back to you with my findings.

Engineer Marino also said he has the FEMA portal started I am waiting for the next steps.

Trustee Sutherland asked if there was any information on the water meter purchase plan.

Engineer Marino said he will have the proper personnel in his office arrange some time to move forward with that project.

BOARD REPORTS

Trustee Conde wished everyone a happy healthy blessed holiday.

Trustee Gibson wished everyone a happy safe holiday season and a happy New Year.

Trustee Eydt said happy holidays I also would like to thank Terry Brolinski and his crew. There was a sewer backup in front of my residence and within five minutes they were there to fix the problem.

Trustee Sutherland said ditto enjoy the village enjoy the restaurants and your families.

Mayor Collesano said Happy Holidays to everyone and to the students in the audience he said kids enjoy but be safe.

ANNOUNCEMENTS

Mayor Collesano had Clerk Treasurer Salada read the announcements:

There will be a Village Board Work Session Tuesday, January 2, 2018 at 6:00 PM.

The next Planning Board meeting is scheduled for Monday, January 8, 2018 at 6:30 PM 145 N 4th St., Lewiston.

The Zoning Board of Appeals is scheduled to meet for any appeals on Tuesday, January 23, 2018 at 6:30 PM at 145 N 4th St., Lewiston.

The next Historic Preservation Commission meeting will be held on Wednesday, December 20, 2017 at 6:00 PM at 145 N 4th St., Lewiston.

The Village of Lewiston Clerk's Office and the Dept. of Public Works will be closed on Monday, December 25, 2017 for the Christmas Holiday and Monday January 1, 2018 for the New Year's Holiday.

ADJOURN

Trustee Eydt made a motion to adjourn the Village Board meeting at 6:52 PM and enter into executive session. Trustee Sutherland seconded the motion and it passed unanimously.

Amy Salada, Clerk Treasurer

EXECUTIVE SESSION

Mayor Collesano called the executive session to order at 7:03 PM.

PRESENT

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

A brief discussion was held with Law Counsel Leone.

A motion was made by Trustee Sutherland and seconded by Trustee Eydt to adjourn the executive session at 7:30 PM. The motion passed unanimously.

Amy Salada, Clerk Treasurer