

**Village Board Meeting  
March 19, 2018  
6:00 PM**

**5:30 meeting with Pat Brown to discuss investing Village Funds with Key Bank**

**PUBLIC HEARING - Hibbard's Custard Stand Special Use Permit for cement pad on village right of way.**

**I. CALL TO ORDER**

**II. RESIDENCE**

**III. CORRESPONDENCE**

**IV. MINUTES**

Approval of the February 20, 2018 Village Board meeting minutes and the March 5, 2018 Village Work Session minutes.

**V. BILLS** Trustee Conde

**VI. REPORTS**

POLICE	PLANNING COMMISSION
BLDG. INSPECTOR	ZONING BOARD OF APPEALS
ZONING OFFICER	PARKS, RECR. CONS BOARD
FIRE INSPECTOR	HISTORIAN
RECREATION DIRECTOR	HISTORIC PRESERVATION
PROJECT LIAISON	

**VII. LIAISON REPORTS**

ADMINISTRATION	MAYOR / TR. SUTHERLAND
PERSONNEL	TR. SUTHERLAND / TR. CONDE
LNRR CHAMBER	MAYOR / TR. SUTHERLAND
BEAUTIFICATION	MAYOR / TR. CONDE
ARTPARK	TR GIBSON / TR. CONDE
LEW. ARTS COUNCIL	TR. CONDE / TR. GIBSON
LAW ENFORCEMENT	Mayor / TR. SUTHERLAND
FIRE COMPANY	TR. SUTHERLAND / TR. GIBSON
RECR. PARKS, ENV.	TR. GIBSON / TR. EYDT
PLANNING	TR. EYDT / TR. SUTHERLAND
HISTORIC PRESERV	TR. SUTHERLAND/TR. EYDT
ZONING	TR. CONDE / TR. EYDT
PUBLIC WORKS	MAYOR / TR. EYDT
COMMUNITY SEWER	TR EYDT / TR. GIBSON
AMER. LEGION & VFW	TR. SUTHERLAND / TR. EYDT
LEWISTON LIBRARY	TR. CONDE / TR. GIBSON

**VIII. OLD BUSINESS**

1. A motion to approve the request from the owners of Hibbard's Custard Stand to have a Special Use permit issued for a 24 foot x 13 foot concrete pad and customer queuing area and canopy overhang above.

**IX. NEW BUSINESS**

1. A motion to approve the request from Skylighters Fireworks for the annual pyrotechnic Display and services on July 4<sup>th</sup> , 2018 with a rain date of July 5, 2018 on the plateau area at dark.

2. A motion to approve the request from James Alfieri of Adsentient Inc., room 10 in the Redbrick Municipal Building to renew his lease for one year. The lease amount is \$350 month or \$4,200 annually.

3. A motion to approve Local Law 2018-2 an amendment to the Motor Vehicles and Traffic Local Law of the Village of Lewiston, New York as recommended by Law Counsel Joseph Leone. A public hearing was held on March 5, 2018 before the Village Board of Trustees.

WHEREAS, Chapter 11 Motor Vehicles and Traffic Article III Stopping, Standing and Parking in particular Section 11-46 Parking Areas and Parking Lots was enacted by the Village of Lewiston, New York as Local Law number 1 of the year 2011, and

WHEREAS, in order to clarify the provisions of this local law by the Lewiston Police Department since enforceability may require the entry onto private property by such police or other law enforcement personnel, and

WHEREAS, in order to effectuate such enforceability it is necessary that all penalty provisions of Chapter 11 – Motor Vehicles and Traffic Local Law of the Village of Lewiston, New York be available as potential penalties for failure to conform to the said parking provisions as set forth in Section 11-47 of the said Motor Vehicles and Traffic Local Law said Section 11-47 is hereby amended to state as follows:

#### Section 11.47 Parking Areas and Parking Lots

(A) No person shall park, stand, store or leave a motor vehicle or motorcycle upon any public or privately owned premises or property, parking areas or parking lot without the consent and permission of the owner or lessee of such premises.

To effectuate the prohibition on such premises as above described, a conspicuous sign or signs shall be posted at the entrance to such parking area or parking lot, informing the public as to the permitted and / or prohibited conditions of parking on such parking area or parking lot.

(B) All penalty provisions of Article 11 including the penalties and provisions of Section 11.40 and the authorizations contained in Section 11.41 shall be applicable to a violation of Section 11-47. Additionally, Article IV – Removal and Storage of Vehicles shall also be applicable to a violation of Section 11-47.

4. A motion to adopt Local Law 2018-3 the purpose of this Local Law is to adopt and codify §6-628 of the Village Law of the State of New York dealing with liability of a village in certain actions. The authority to codify such a state law is found in New York State General Municipal Law §15-g-Recording of Notice of Defect. As advised by Law Counsel Joseph Leone. A public hearing was held on March 5, 2018 before the Village Board of Trustees.

Section 17-9. Written Notice of Defects Required – No civil action shall be maintained against the Village, Village Superintendent of Public Works or any other employee or official acting in their capacity, for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed, or for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk, street, highway, bridge or culvert unless written notice of the defective, unsafe, dangerous or obstructed condition or of the existence of the snow or ice, relating to the particular place, was actually given to the Village Clerk, and there was a failure or neglect within a reasonable time after the receipt of such notice to repair or remove the defect, danger or obstruction complained of or to cause the snow or ice to be removed, or the place otherwise made reasonably safe within a reasonable time after the actual receipt of such notice.

Section 17-10. Contents of Written Notice/Transmittal of Notice – The written notice of defect required by Section 17-9 of the Village Code of the Village of Lewiston, New York shall contain the following information at a minimum:

A. The name and mailing address of the person giving such notice.

B. A precise statement as to the nature and extent of any defective, unsafe, dangerous or obstructed condition or the existence of snow or ice upon any street, highway, bridge, culvert, sidewalk or crosswalk within the Village of Lewiston, New York.

C. The date, or approximate date, that such condition first became known to the person providing the notice.

D. The exact location of such condition by providing as clearly as possible reference to a street address or addresses, utility pole number, or other geographic reference so as to aid the Village in properly locating such condition.

The written notice as aforesaid shall be given to the Village Clerk or Village Superintendent of Public Works. If notice is given to the Village Superintendent of Public Works it shall be transmitted by that Superintendent to the Village Clerk within five (5) business days after the receipt thereof. The Village Clerk shall keep a separate indexed record of all notices received for such defects which shall be a public record and shall be preserved for a period of not fewer than five (5) years after the date it is received.

5. A motion to approve the request from Clerk Treasurer Salada to make the following budget amendments:

FROM: A00-1325-4200	\$300.	TO: A00-9951-8000	\$300.
Acct for Interest		Bank Charges	
F00-9010-8000	\$975.	F00-1680-4050	\$975.
Retirement		Central Data Processing Contracts	
G00-9010-8000	\$845.	G00-1680-4050	\$845.
Retirement		Central Data Processing Contracts	
A00-3060-0000	\$1995.	A00-1325-4052	\$1995.
State AID/Records Grant		Clerks Outside Contractor	
A00-3620-4150	\$110.	A00-3620-4130	\$110.
Safety Insp. Other		Safety Insp. Schools & Travel	
A00-5182-4012	\$219.71	A00-5182-4013	\$219.71
Street Lighting Electric		New Electric	

6. A motion to approve the historic marker signage outlining the past history of the Silo and the Caboose as requested by Alan Hastings of Silo Restaurant, and presented by Stacy Sheehan. This signage will be donated by Alan Hasting.

This was taken to the Parks Recreation Conservation Board on March 15, 2018 and they approved this addition to the Lewiston Landing Park.

7. Schedule an executive session immediately following this Village Board meeting to discuss the proposed acquisition, sale or lease of real property.

8. A motion to approve the request from Hibbard's businesses to amend the wording on three village signs at the Tuscarora Monument to say Village parking or municipal parking. The Hibbard property owners have offered to cover the cost of this amendment.

9. A motion to approve the request from Diane Perri Roberts, Democratic Chairwoman, to use of the Village Boardroom to hold a caucus for the Democratic Party. The request is for Thursday, April 26, 2018 at 7:00 PM.

10. A motion to approve the request from the Republican Party to use the Gymnasium to hold a caucus on April 24, 2018 at 6:00 PM.

11. A motion to accept the resignation of Pamela Hauth as Village of Lewiston Historian effective immediately.

12. Other

**X. DISCUSSION**

1. Request from Corey McGowan to serve liquor at the Blue Monday concerts and the Summer of 69 concert at Hennepin Park at Center and 4<sup>th</sup> Street.
2. Discuss Silo 175 N Water St. water/sewer bill from January 2018. Alan Hasting asked to have the penalty removed, he had moved and the address on the bill was not updated.
3. LWRP expansion update.
4. Lewiston Landing damage update.
5. Village Historian replacement
7. Lewiston Landing Insurance
8. Fee chart for Building Fees
9. Other

**XI. REPORTS**

CLERK TREASURER  
LAW COUNSELOR

SUPT. PUBLIC WORKS  
ENGINEER

**XII. BOARD REPORTS**

TRUSTEE CONDE  
TRUSTEE GIBSON  
MAYOR COLLESANO

TRUSTEE EYDT  
TRUSTEE SUTHERLAND

**XIII. ANNOUNCEMENTS**

Budget meeting immediately following this Village Board meeting.

The Village sponsored Earth Day Cleanup will be held on Saturday, April 21, 2018 at 9:00 AM starting at the Redbrick School.

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

The next Planning Board meeting is scheduled for Monday, April 16, 2018 at 6:30 PM 145 N 4<sup>th</sup> St., Lewiston.

The Zoning Board of Appeals is scheduled to meet for any appeals on March 27, 2018 at 6:30 PM at 145 N 4<sup>th</sup> St., Lewiston.

The next Historic Preservation Commission meeting will be hold a training session on Tuesday March 20, 201 at 2:00 PM at 145 N 4<sup>th</sup> St., Lewiston.

The Village of Lewiston Clerk's Office and the Dept. of Public Works will be closed on Friday, March 30, 2018 for the Good Friday Holiday.

**ADJOURN**