

**PRESENT**

Mayor Collesano, Trustee Conde, Trustee Eydt, Trustee Sutherland, Trustee Gibson, Law Counsel Leone, Supt. Brolinski, Nussbaumer and Clarke Representative Rob Pidinic, Police Chief Previte, Zoning Officer DeVantier, and Clerk Treasurer Salada.

**EXCUSED** Engineer Marino

**CALL TO ORDER**

Mayor Collesano called Village Board work session to order with the Pledge of Allegiance at 6:01 PM.

**RESIDENTS**

No residents came forward to speak.

**CORRESPONDENCE**

No correspondence was discussed.

**OLD BUSINESS**

Trustee Conde opened discussion about Ami Patrick of Embody Health and Wellness lease of room eleven in the Redbrick Municipal Building. .

Clerk Treasurer Salada said she ran into Ami Patrick and she agrees with two hundred dollars per month for room eleven with a begin date of February 1, 2018.

**AMI PATRICK OF EMBODY HEALTH & WELLNESS LEASE OF ROOM ELEVEN**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to lease room 11 for two hundred dollars a month starting February 1, 2018.

Mayor Collesano opened discussion on the Hibbard Custard Stand expansion.

Law Counsel Joseph Leone said this expansion and encroachment onto Village right of way should be an application for a special use permit. The owner or owners will need a SEQR determination, and they will need an okay from the Niagara County Planning Board. I have prepared a draft of the indemnification and proposed personal guaranty. It has several blanks spaces on the document because I am not sure who is applying. I tried to do research myself but found there are a number of LLC's, DBA's and corporations doing business under Hibbard in Niagara County. I understand that they are not all on Portage Rd. In order to complete this document I will need more information from the owner or owners.

Mayor Collesano requested that Law Counselor Leone give the document as is to Clerk Salada so the Village Board can look at it. The Clerk will also reach out to Harold Hibbard.

**REDCROSS BLOOD MOBILE**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously approving the request from American Red Cross Blood Mobile to use the Redbrick Municipal Building restrooms and the half circle drive way for a blood drive on March 3, 2018 8:00 AM to 2:00 PM.

**LIONS INTERNATIONAL CLUB SIGN**

Trustee Sutherland said he met with Modern Sign Services about the big sign on the right as you enter into the Village of Lewiston. This sign could use some upgrading. I would like other community representatives to get involved. I also would like to have signage with representations of the local organizations on it to tell visitors these are here. The Lions Club approached the Village of Lewiston asking to put up a thirty by thirty sign up as you enter the village. Trustee Eydt, Supt. Brolinski and I tabled this request until we are sure about what we

want to have as far as signage. We are looking at what other communities have done. In the future I would like to upgrade all the maroon signage throughout the village.

## **NEW BUSINESS**

### **ARTISANS MARKET / WILLOW CONSULTING AT ACADEMY PARK**

A motion was made by Trustee Sutherland seconded Trustee Conde and passed unanimously to approve the request from Jamie Symmonds of Willow Consulting to use Academy Park for an Artisans Market June 2, 2018 to October 20, 2018 on Saturday mornings. This approval is contingent provided the dates are DE conflicted and the insurance meets all requirements.

Trustee Eydt asked where this would be located in Academy Park.

Jamie Symmonds answered on the Portage Rd. side of the park.

Trustee Conde asked if Jamie Symmonds had a list of the vendors for the Artisans Market.

Jamie Symmonds answered the vendors will change as it evolves, and I have not started poaching yet, I did not want to put the chicken before the egg. I wanted approval first.

Trustee Sutherland asked if she would be able to co-exist or maybe cancel the event for other events already using the park annually.

Jamie Symmonds answered yes I would work with them to co-exist or in the example of the Peach Festival not schedule the Artisan's Market that weekend.

Trustee Eydt, Trustee Sutherland and Trustee Gibson in unison said this is a good idea.

Trustee Gibson asked what kind of good would be sold, fruits & vegetables.

Jamie Symmonds answered not just those, I am not limiting the products, it could be nuts, cheeses and meats, and handmade items. I have been to many of these markets and think they are great.

### **CATARACT CRUISERS AT ACADEMY PARK**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Cataract Cruisers to use Academy Park on Thursday and Friday nights from May 17, 2018 to September 21, 2018 for Car Cruise (show) from 5:00 PM to dusk. They have taken into account the Peach Festival use of Academy Park in September 2018 they co-exist with the other festivals which use other parts of the park. The insurance coverage has been presented.

### **ZAC CASALE TREE REMOVAL IN RIGHT OF WAY**

A motion was made by Trustee Sutherland seconded by Trustee Eydt to **Table** approval for the request from Zac Casale to remove a tree in the Village right-of-way at 705 Cayuga Street. Zac Casale suggested this request be tabled until spring when the structure is in place and the driveway is mapped out. Zach Casale felt the Tree in the right of way would cause a visibility issue for those exiting the driveway.

### **SMELT FESTIVAL**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the request from the Lower Niagara Chamber of Commerce to hold the annual Smelt Festival Friday, May 4, 2018 at Lewiston Landing. Trustee Eydt said we approve the request as presented referencing a drawing of the Smelt Festival layout which accompanied the request.

### **PAYMENT TO KEY GOVERNMENT FINANCE FOR CHEVY PICKUP AND EXPRESS VAN**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the requested to pay Key Government Finance Inc. in the amount of \$7,381.86 for the Chevrolet Pickup and Express Van. This payment is due before next board meeting.

**ANNUAL NORTHWEST JAZZ FESTIVAL**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the request from the Northwest Jazz Festival to hold the annual Jazz Festival on Friday, August 24, 2018 and August 25, 2018. This event request includes closing Center Street from Sixth St. to Fourth St. as well as use of the International Peace Garden, Hennepin Park, and the Village Redbrick municipal parking lot and adjourning grass lot for sponsor / VIP parking. Academy Park is also requested for overflow parking.

**LIFTING THE OPEN CONTAINER LAW FOR ANNUAL JAZZ FESTIVAL**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to lift the Open Container Law Sec. 12-76 of the Village Code for the Annual Jazz Festival August 24, 2018 and August 25, 2018.

**HOME RULE TO REDUCE SPEED LIMIT ON CENTER STREET**

A motion was made by Trustee Sutherland seconded by Trustee Gibson and passed with four yes votes to approve the request from Senator Robert Ortt for four copies of the Home Rule form to reduce the speed limit on Center Street to 25 Miles per Hour. This request allows Mayor Collesano as Chief Executive Officer and Amy Salada as Clerk Treasurer to sign the document and mail them out as Senator Ortt has instructed.

Law Counsel Joseph Leone said we sent this out roughly a year ago. I noticed that the new bill has a different number on it. Maybe it has been reintroduced, I don't know.

Mayor Collesano asked Clerk Salada to please poll the Village Board the following results were received:

Trustee Gibson	"YES"	Trustee Sutherland	"YES"
Trustee Eydt	"NO"	Trustee Conde	"YES"
Mayor Collesano	"YES"		

**MOTION TO ENTER INTO EXECUTIVE SESSION**

A motion was made by Trustee Sutherland seconded by Trustee Gibson and passed unanimously to enter into executive session immediately following this meeting. To discuss real property rental fees.

**DISCUSSION**

Tanis Winslow from Artpark presented her request to use the Redbrick Gymnasium.

Tanis Winslow of Artpark is looking for space to hold rehearsals Monday through Friday and some Saturdays 10:00 AM to 2:00 PM. This would be with approximately fifty people in the building at one time. She said mostly seniors, possibly veterans, Empower, and People Inc. The purpose of this event is to rehearse for Artpark shows and provide the community with theater engagement and drama exercises. She said she has a 9 million plus General Liability Certificate. This event would be held in June, July and the beginning of August.

Recreation Director Brendan McDermott said currently the times requested are available.

Mayor Collesano asked do you have an alternate spot to rehearse just in case.

Tanis Winslow said we have a couple of places we will be holding these rehearsals.

Recreation Director McDermott asked about supervision in terms of the using the building. The Village of Lewiston does not have a summer program so we will not be available to open and close the building or to supervise.

Trustee Conde said Recreation Director McDermott has a good point.

Supt. Brolinski said he had personnel available.

Trustee Conde said Saturdays would have to be covered.

Mayor Collesano said we will need good correspondence between you (Artpark) and us.

#### **ARTPARK TO USE THE REDBRICK GYMNAISIUM FOR REHEARSALS**

A motion was made by Trustee Sutherland seconded by Trustee Conde and passed unanimously to approve the request from Tanis Winslow of Artpark to use the Redbrick Gymnasium Monday through Friday and sometimes on Saturdays in June, July and the beginning of August for rehearsals 10:00 AM to 2:00 PM.

#### **Proposed Parking for Ridge Street:**

A brief discussion was held asking the Village Board and Supt of public works to consider areas where multiple parking could be developed for example the Redbrick School right of way area.

Trustee Sutherland asked to have diagonal parking considered on Ridge Street.

Supt. Brolinski said that there are five trees that would need to be looked at worked around.

Supt. Brolinski and Trustee Eydt said they would take a trip to Ridge Street to work on that area. Trustee Eydt said they would also be looking at the dimensions of the roadway.

Mayor Collesano said Ridge Street is narrow that is what concerns him.

Trustee Eydt stated that Herbert Richardson's property on Ridge Street has private property signs on the right of way. The Building is vacant.

Zoning Officer DeVantier said I will see what I can do about those signs.

Trustee Sutherland said that the **Lewiston Advisory Committee** has suggested developing a group to look at signage in the Village of Lewiston.

Jennifer Pauly from the Lower Niagara River Region Chamber said I think you are starting to go in the right direction with taking a look at those maroon signs.

Trustee Sutherland said I will get with Judy Munzi and work on this and report back.

Discussion opened regarding **long range plans for sewer line upgrades.**

Mayor Collesano sked Trustee Eydt if there was any funding available through the Tri-Community Sewer district.

Trustee Eydt said nothing I know of. Onondaga Street is the primary sewer line that needs to be fixed.

Trustee Sutherland said we have to have a game plan to look for funding. We need to be ready to go when and if money comes available.

Trustee Eydt said we have discussed this before, talked about having a grant writer on hand for projects like this. We are coming into budget time we will have to see what we can put aside for this.

Rob Pidinic from Nussbaumer and Clark said we have someone who works with us on grants like this.

Trustee Conde said we need to have a grant writer on retainer.

Trustee Sutherland opened discussion by giving an update about the proposed **water meter purchase.** Sutherland said Supt. Brolinski, Trustee Eydt and I met with Jim Campolong from Nausbaumer and Clark who will be providing support.

Supt. Brolinski said we came to the agreement that we are going to upgrade our current water metering system instead of starting over.

Trustee Sutherland said we had three or four water meter distributors come to us with proposals. We found that surrounding areas Town of Porter and the Town of Lewiston have the badger water metering system. It makes sense to stay with the Badger water metering system.

Supt. Brolinski said we are upgrading our system, so we don't have to out to bid like we would if we purchased a whole new system. The other towns and villages in the area work together we assist each other and if we have the same system for metering water it makes things a whole lot easier. It is shared service standardization for the community.

Supt. Brolinski said it's coming up with the finances that is the real problem.

Trustee Sutherland said James Campolong is fine tuning the cost of upgrading the water meter system.

Supt. Brolinski said we will need one thousand two hundred twenty nine  $\frac{3}{4}$  "meter tops, thirty six 1" meter tops, seventeen 1.5" meter tops, and eighteen 2" meter tops. I have eighty one meter bases at garage. It would be a waste of funds to switch systems and not use those bases.

Supt. Brolinski said upgrading is not as drastic as completely replacing the metering system. It will not take the Dept. of Public Works out of commission for a long period of time.

Trustee Sutherland said we will take a look at funding this since it is budget time.

Supt. Brolinski said it would be helpful to have a grant writer looking for funding constantly.

Discussion on **Lewiston Landing Boat Slip leases** opened with Supt. Brolinski saying he has been told that the water levels at Lewiston Landing will be at record highs again this year.

Trustee Sutherland said the water level at Lewiston Landing is eleven inches higher than last year.

Mayor Collesano said our federal representatives are getting involved and want to know what is causing this.

Mayor Collesano said well the question is whether the boat slips can be used by the lease's this spring 2018.

Supt. Brolinski answered yes as long as the water does not come up much farther. The south end cannot be used it is unsafe.

Trustee Sutherland said so it's okay to tell the eighteen leases who paid we will be putting docks in the north end to accommodate them.

Supt. Brolinski said if we have to do construction on the damaged docks things might get inconvenient and if the water comes up to an unsafe level we might have to remove the boat docks again.

Rob Pidinic from Nausbaumer and Clark spoke of grant funding available from NYS DEC for an **Electric Car Charging Station**. Rob Pidinic said you have to have a location in mind for the grant application.

Trustee Sutherland said he looking at Academy Park, I was thinking Cayuga and S. Ninth Street facing north west.

Rob Pidinic also recommended Greenway funding through Town of Lewiston for this project.

Mayor Collesano asked if Rob Picinic had idea of the cost for an Electric Car Charging Station.

Rob Picinic answered I do not know that, I will make Mike Marino aware that you are interested in that information.

Trustee Eydt questioned whether there is power at the north west corner. Eydt said I was thinking it would work at the corner by Warrens Hardware.

Trustee Sutherland said he heard that the Town of Lewiston received a six thousand dollar grant for an Electric Car Station.

Rob Picinic said the NYS DEC grant is worth looking into.

Supt. Brolinski said I think you would have to upgrade the lines. Only 110 amps comes from the comfort station at Academy Park. The big power is at the corner of Cayuga St. and Portage Rd.

Mayor Collesano said okay we have a little more work to do on that and if we want to continue developing Academy Park this will have to be included.

Trustee Eydt opened the conversation on the **Mohawk Trail** subject. Trustee Eydt said my understanding is that there is money set aside in the amount of \$86,000. This project doesn't need a whole lot of Engineering. We need to talk to Bernie Rotella he knows how to access the funding. We need to have Engineer Marino get ahold of Bernie Rotella and get with Supt. Brolinski and I.

Supt. Brolinski said sidewalks are not cheap the problem is getting the sidewalk up the ninth Street hill.

**Update the zoning map** Trustee Sutherland said this has been frustrating me we should have an updated zoning map.

Trustee Conde agreed.

Zoning Officer Ed DeVantier said it can be changed by whoever holds the electronic version.

Clerk Treasurer Salada said she would reach out to Municode to inquire about making the changes.

Law Counsel Leone opened discussion on two subjects he has been working on, **Notice of Deficit and Amendments to Parking Local Laws.**

Law Counsel Leone said the first is involving Parking; I have done a proposal to change Local Law on Traffic, Article III Stopping, Standing and Parking in particular Section 11-46 and Sec11-47 Parking Areas and Parking Lots. I have written this amendment to the law compared to Niagara Falls local law. This would take away any concerns that the Police Department has; it allows them to go on private property to write a ticket. It further authorizes a fine and gives authorization to tow a vehicle.

Dr. Jason Marshall of 840 Center Street, Lewiston asked with this amendment the local Police can issue and enforce a parking ticket written in a private lot.

Law Counsel Joseph Leone said as it stands now the law is ambiguous about the law and enforcement going on private property and issuing a ticket. This proposed amendment will allow for that.

Law Counsel Leone said the way this has to go is this proposed change needs to be posted and published a public hearing date has to be set, the Village Board will vote on this amendment, if it passes it will go to NYS for approval. So I would say late spring this should be complete.

Law Counsel Leone spoke of the proposed addition of the Notice of Deficit law to the Village local laws. We had a notice of claim and an Attorney for our Insurance Company asked me if the Village of Lewiston has a local Law for our Notices of Deficit. When I looked I found that the Village of Lewiston does not have one. So I would like to get ahead of this. So we do not run into an issue of languages.

Law Counsel Leone continued saying with this change the Village Clerk is required to keep a log of the notices of deficit for five years.

**MOTION TO SET PUBLIC HEARINGS FOR AMENDMENT TO PARKING LAW AND ADD LOCAL LAW ON NOTICE OF DEFICIT**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to schedule a public hearing on March 5, 2018 to amend the local law on Parking Section 11-46 and 11-47 and a public hearing to add Notice of Deficit Section 17-9 and Section 17-10.

**ANNOUNCEMENTS:**

Clerk Treasurer Salada read the following announcements aloud

- The next Village Board meeting will be held on Tuesday, February 20, 2018 at 6:00 PM in the Village Boardroom, 145 N 4<sup>th</sup> St. Lewiston
- The next Planning Board meeting is scheduled for Monday, February 12, 2018 at 6:30 PM in the Village Boardroom, 145 N 4<sup>th</sup> St. Lewiston.
- The next Zoning Board of Appeals meeting will be held on Tuesday, February 27, 2018 at 6:30 PM in the Village Boardroom, 145 N 4<sup>th</sup> St. Lewiston.
- The next Historic Preservation Commission meeting will be held on Monday, February 26, 2018 at 6:00 PM in the Village Boardroom, 145 N 4<sup>th</sup> St. Lewiston.
- The Village of Lewiston Clerk's office and Dept. of Public works will be closed on Monday, February 19, 2018 for the President's Day Holiday. This is per Village Code Sec. 2- 75- Holidays.

**ADJOURN**

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to adjourn the Village Board work Session and enter into executive session

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Amy Salada, Clerk Treasurer

**EXECUTIVE SESSION**

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

**ADJOURN**

NO action was taken and after a brief discussion on Real property the Executive Session was adjourned by Trustee Gibson's motion Trustee Conde's second and passing unanimously at 8:05 PM.

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Amy Salada, Clerk Treasurer