

PRESENT Mayor Collesano, Trustee Eydt, Trustee Conde, Law Counsel Joseph Leone, Zoning Officer Ed DeVantier, Building Inspector Ken Candella, Engineer Michael Marino, and Clerk Treasurer Salada

PUBLIC HEARING

Mayor Collesano opened the public hearing for the water rate increase and Local Law change for the increase at 6:02 PM. He turned the floor over to Deputy Treasurer Ed Walker for an explanation of the charges.

Deputy Treasurer Ed Walker said that the Niagara County Water District put in place an increase in the water rate in December of 2017. This increase calculates out to be eleven cents per hundred cubic feet of usage for the village, increasing the rate to \$3.70 per hundred feet of usage. A household who has an average bill of \$100 will see an increase of \$1.35 per quarter.

There were no questions the public hearing ended at 6:04 PM with a motion from Trustee Eydt and a second from Trustee Conde which passed with three votes.

CALL TO ORDER

Mayor Collesano opened with the Pledge of Allegiance and by saying thank you for attending our Village Board meeting greetings everyone.

RESIDENCE

Judy Munzi asked for a progress report on the Zombie house on West Lane (430 West Lane) Zeintara's property.

Building Inspector Candella answered that there is a building permit on that property which gives them one year to complete the work. I know that the owner of the property ran into some trouble, and the son took over for a while.

Judy Munzi said the owners have been around again, there are people working; clearly not contractors working on the property. They rip stuff up and don't complete anything.

Building Inspector Candella said that there is a house full of siding. Siding cannot be put up until the temperature is above forty degrees. Other areas of the house are not ready to be dry walled. I will check on this property Candella said.

Emery Simon of 755 Center Street stood to address the Village Board saying I am in the process of working on getting a permit to put up a structure in my parking area at 755 Center Street. I am getting resistance. I am told there are two laws, which pertain to my request. The way the law is written; one is a parking requirement, such parking areas shall not be used for any purpose other than the accessory parking of vehicles. So the way the law is written you cannot do anything other than park in a parking lot. Up until now I have been using my parking lot for parking, and for my dumpster. I try to keep everything neat, and I have set up tents in my parking lot, according to the law I would be in violation.

Emery Simon continued by saying I would like the Village Board to look at this law and say something that we plan on enforcing throughout the summer. Cause the second law says no tents are to be erected on property. So if you want to have a party on your property and put up a tent you cannot.

Emery Simon closed saying I would like an interpretation; I would like the answer for the next meeting.

CORRESPONDENCE

Trustee Conde opened discussion on an item listed on Zoning Officer DeVantier's report; Trustee Conde questioned where the complaint about commercial signs and commercial vehicles was located.

Zoning Officer DeVantier answered that there were four locations, where commercial signage was placed in a yard, along with commercial vehicles in question. Two of the properties have complied already.

MINUTES

A motion was made by Trustee Eydt seconded by Trustee Conde to approve March 19, 2018 Village Board meeting minutes and the April 2, 2018 Village Work Session minutes. This vote passed with three yes votes.

BILLS Trustee Eydt made a motion to approve the vouchers to be paid as presented, saying I found everything to be in order, I request that they be approved as they stand. Trustee Conde seconded the motion. The motion passed with three yes votes.

REPORTS

Recreation Director Brendan McDermott said he had some additional items to mention along with his written report. The Spring Fling is scheduled for May 6, 2018 this is a family event, the fun run will be from 12:00 PM to 1:00 PM and the event runs 1:00 PM to 4:00 PM, I am hoping for a good turn out and nice weather.

Mayor Collesano said I noticed your Art Class was very well attended.

Brendan McDermott answered yes we are very proud of that. We had forty-four adults attend this program with the Niagara County Health Departments Adult Compeer program as well as Artpark volunteers. The participants had a fantastic time, we will be continuing this program. We will be holding an adolescent program just like this program Friday as well in the gymnasium.

Mayor Collesano said to **Skip Hauth Project Liaison** we have a lot going on, I have your report.

Skip Hauth Project Liaison answered yes there is something going on with all the projects.

Anne Welch Planning Board member reported for the Planning Board saying we denied Architect David Guisiana who was requesting to construct an accessory building on N 5th St. there was not enough property, not enough square footage to house that. We denied the Griffon House and Niagara Crossing and sent them to the Zoning Board of Appeals for their sign requests. Emery Simon came in for a covered structure at 755 Center St. he is waiting for the Fire Inspector and the Building Inspector to make a determination on access and the fire code.

Harry Wright Chairman of the Historic Preservation Commission reported that 65 Center St. will start work after May 31, 2018. I am not sure where the building permit stands, I believe Mr. Kinney is waiting on a contractor.

Building Inspector Candella said the building permit is just waiting on insurance.

Harry Wright reported on the Frontier House; the Frontier House will go for another thirty days it is waiting on the court ordered estimates for repair. Harry Wright continued saying I wish the court would have asked for quotes not estimates. Quotes are firmer than estimates.

Mayor Collesano said this is in the hands of the court.

LIAISON REPORTS

Trustee Eydt reported that he and Supt. Brolinski have been working with FEMA for the damage at Lewiston Landing. As of last week FEMA has given the Village the go ahead to start work on the docks and to get the season started. We can remediate the north end; we are working on pricing for the south end.

OLD BUSINESS

A motion to **table** 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 was made by Trustee Eydt and seconded by Trustee Conde. This motion to table passed with three votes.

Law counsel Joseph Leone said this is all about enforcing the current local law on parking in business parking lots. I did not write the original local law. This local law is being recommended because I do not think the current local law should be left the way it is. It does not have enforceability; I have prepared this local law for uniformity. If you remove the old 2011 local law you cannot enforce parking on private property. The new local law as proposed gives the ability to ticket if needed.

Police Chief Frank Previte I ask that you the Village Board revoke the local law, that is my desire. I will do whatever you choose but I would like it removed in its entirety.

Trustee Conde asked Chief Previte; you would like to see neither local law on parking in place.

Chief Previte answered correct, I am not one hundred percent sure we are on solid ground doing this.

Mayor Collesano said my feeling is that there are strong feelings of the Village Board members on this local law. Mayor Collesano asked Law Counsel Joseph Leone can we table this vote until we have a full board.

Law Counsel Joseph Leone answered yes, so we are clear; if you did vote tonight it would require three votes one way or another, three for or three against. A quorum of the entire Village board is best; so if you wanted to table until you have the entire Village Board present that is a legitimate request.

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.

NEW BUSINESS

INCREASE WATER RATE JULY 1, 2018

A motion was made by Trustee Conde seconded by Trustee Eydt and **passed** with three yes votes to adopt local law #4 -2018 water rate amendment to section 20-194 schedule.

Whereas, amend section 20-194 to read as follows: The quarterly rate for water consumption shall be \$3.70 per 100 cu. Feet of water consumed, effective for the July 1, 2018 water/sewer billing (11 cent increase) and on the advisability of changing schedule 20-194.

Now therefore, this motion is approved by a vote of the Village Board.

TRAILER PARKING 430 BAKER DRIVE

A motion was made to **table** this request by Trustee Eydt and seconded by Trustee Conde and passed with three votes to the request from Joan Haley 430 Baker Drive to store her 19-foot travel trailer in her driveway during the camping season.

Law Counsel Joseph Leone said this is one of the laws Emery Simon is questioning I am not sure if this legal.

Emery Simon added; yes, if we are going to start enforcing this then everyone has to be enforced.

Mayor Collesano asked Zoning Officer DeVantier to weigh in on this subject.

Zoning Officer DeVantier said the way the law is written, if you cannot put a trailer in your backyard or side yard then you have to come to the Village Board for approval. It specifically says in the code that the Village Board of Trustees approve that request. There is a half dozen people who have gone through that process.

Trustee Eydt said we need specific dates on approvals.

Anne Welch spoke saying that's for storage of a camper if it is moved in and out during the summer season every twenty-four to forty-eight hours; it is not for continuous storage.

Mayor Collesano said I think we need to do a little home work on this we have a Historic District to consider.

Anne Welch said the thing is during the summer people put their boats and trailers in their driveways to use them. I know we have done this in the past.

Zoning Officer DeVantier the section of the code I am talking about has to do with the parking of Boats and Trailers it is different from Emery Simons request. I think it is a good idea to table this and take a closer look at this.

Trustee Eydt said I agree with taking a closer look at this we have people who store their trailers and boats for the winter and have access for taking them in and out for the summer months. This is to limit the hassle while using, it is not for all year long. The whole intension of this law was to hinder a trailer sitting in a driveway for weeks and weeks, months and months.

2018-2019 BUDGET APPROVAL

A motion was made by Trustee Conde seconded by Trustee Eydt and passed with three votes to approve the 2018-2019 budget:

WHEREAS, the Board of Trustees of the Village of Lewiston held a public hearing April 2, 2018 as specified in the notice of public hearing on the tentative 2018 – 2019 budget, and,

WHEREAS, all persons desiring were heard at the public hear,

NOW THEREFORE, be it resolved, that the 2018 – 2019 budget, and hereinafter set forth in the total amount of \$3,590,059 with a tax rate of \$7.38 per thousand , is hereby adopted, and that the several amounts stated in the column titled “Board Action” in schedule 1A, Schedule 1F and schedule 1G, together with the amount set forth in schedule 3 as required for the payment of principal and interest on indebtedness, and the new salaries, grades and wages stated in schedule 5 shall be hereby fixed at the amounts shown as effective June 1, 2018.

Mayor Collesano had Clerk Treasurer Salada poll the Village Board the following results were given: Trustee Conde “YES” Trustee Eydt “YES” Mayor Collesano “YES”

ZONING BOARD OF APPEALS ALTERNATE

A motion was made by Trustee conde seconded by Trustee Eydt and passed unanimously to appoint Ken Bedore of 425 Burt Circle Lewiston as alternate to the Zoning Board of Appeals.

CENTER ST SIDEWALK SALE DURING 10 MILE GARAGE SALE

A motion was made by Trustee Eydt seconded by Trustee Conde and passed with three votes to approve the request from the Niagara River Region Chamber of Commerce to allow Village businesses to hold a sidewalk sale event during the Ten Mile Garage Sale June 9, 2018 to June 11, 2018.

ELECTRIC CAR CHARGING STATION GRANT

A motion was made by Trustee Eydt seconded by Trustee Conde to adopt the following resolution for a grant to assist in funding a Village of Lewiston, Electric Car Charging Station Project:

WHEREAS, the Village of Lewiston calls for the installation of an electric car charging station, which would be available to the public; and

WHEREAS, the NYSDEC currently has funding available for the purchase of such charging stations;

THEREFORE, BE IT RESOLVED, that the Village Board authorizes the submission to DEC Zero-Emission Vehicle (ZEV) Clean Vehicle Infrastructure Rebate Program to request funding for the **Electric Car Charge Station Project**; and

BE IT FURTHER RESOLVED and the Village Board acknowledge that it is responsible for at least 20% of the total project cost.

RESOLVED, that Terry C. Collesano, as Mayor of the Village of Lewiston, is hereby authorized and directed to file an application for funding from the DEC Zero-Emission Vehicle (ZEV) Clean Vehicle Infrastructure Rebate Program to complete the **Electric Car Charge Station Project**.

Mayor Collesano asked Clerk Treasurer Salada to poll the Village Board she received the following results:

Trustee Conde “YES” Trustee Eydt “YES”
Mayor Collesano “YES”
Resolution passed with three yes votes.

EXECUTIVE SESSION

A motion was made by Trustee Conde seconded by Trustee Eydt and passed with three votes to schedule an executive session immediately following this Village Board meeting to discuss the proposed acquisition, sale or lease of real property.

LEWISTON FIRE COMPANY NO 1 APPROVAL OF OFFICERS

A motion was made by Trustee Conde seconded by Trustee Eydt and passed with three yes votes to approve for appointment the Lewiston Fire Company No. 1 line officers elected on April 4, 2018 as follows:

Chief Lester Myers 1st Assistant Chief Jonathan Waggoner

LEWISTON FIRE COMPANY NO 1 MEMBERSHIP APPROVAL

A motion was made by Trustee Eydt seconded by Trustee Conde and passed with three yes votes to accept the restricted membership of **Colby Chretien** and the conditional membership of **James Pytlik**.

SWAP BILL

A motion was made by Trustee Eydt seconded by Trustee Conde and passed with three yes votes to have Mayor Collesano sign and send a letter requesting Senator Ort and Assemblyman Morinello requesting their support of the SWAP bill.

Supt Brolinski said this is a new government program being introduced. This program is like the CHIPS program. It is a program that will distribute funding to municipalities to plan projects to upgrade and repair Sewer Water and Storm Sewer. Municipalities will get reimbursed for funds spend, we need this it is a great plan. I am asking you to approve this request it will help with our budgeting.

AUTHORIZE PUBLIC WORKS TO PAY FEES FOR POLICE CAMERAS ON TELEPHONE POLES AT 421 CENTER STREET AND 820 CENTER STREET

A motion was made by Trustee Eydt seconded by Trustee Conde and passed with three yes votes to approve the request from Chief Previte to contract with Niagara Mohawk to allow two police cameras to be attached to the telephone poles at 421 Center St. and at 820 Center St. The fee for this service is \$14.12 per pole per year.

DISCUSSION

Applications for the open Historian position. After a brief discussion in regards to the two applications received in the Village Clerk’s office for the position of Historian, Trustee Eydt said he would interview the interested applicants.

Trustee Eydt said I have thought about the village parking issues it might be a good idea to purchase a van to use as a shuttle for Village Events. I have also thought that it might be a good idea to put the village van to use for this. I would like to give it a shot, we have to do something.

Supt. Brolinski said the individual driving the vehicle would have to have a special driver’s license.

Mayor Collesano said okay we should set up a committee of a few Trustees to consider this. We did not budget for this this year.

Trustee Eydt said we have the vehicle.

Mayor Collesano said most important is insurance coverage.

Trustee Eydt said he will take care of planning for this.

REPORTS

Clerk Treasurer Salada gave a report as follows; the records grant has progressed well and the electronic applications viewer has been installed on the computers in the village offices. The Clerk's office is working tirelessly on the three other grants they are responsible for. The Lewiston Landing waterfront damage project has been front and center in the Clerk's office, the two separate project submissions have been completed and sent to FEMA. We have been communicating with the Village's Insurance Carrier Trident and have an active claim in for the waterfront damage. The 2018-2019 Budget process is now completed. This is along with our everyday responsibilities.

I personally invite you all to the Village sponsored Earth Day Cleanup this Saturday, April 21, 2018 at 9:00 AM starting here at the Redbrick School House. I am told it is going to be fifty degrees and partly sunny. I also attended the Hart interfaith fundraiser Saturday (April 14, 2018) and personally volunteered at the Jazz Fest Fundraiser Sunday, April 15, 2018 selling basket tickets.

Supt. Brolinski reported that the concrete barriers had been purchased, picked up and were warming up in the public works garage waiting to be painted with a pretty white reflective paint. He further reported, we lucked out with the last ice storm it was a busy weekend for our crew with all the rain, and we are still on by pass for the storm sewer. The Wastewater Treatment Plant is holding its own. We are working on our leafer, Rick Hess of our Public Works Department has come up with an idea on how to fix the leafer. Supt. Brolinski continued saying I am thinking of making a purchase of a little vacuum for Center St. to clean up the cigarette butts.

Mayor Collesano asked what a vacuum like that would cost.

Supt. Brolinski said I am not sure.

Ed Walker Deputy Treasurer suggested Billy Goat Industries.

Supt, Brolinski said I am also looking into cable service or a better way to get the weather at the Dept. of Public Works Garage, other municipalities have this service.

Law Counselor Joseph Leone reported in regards to Hibbard's parking lot encroachment or easement agreement saying I ran into Al Bax Attorney representing Hibbard's and had a discussion on some of the language for the proposed agreement. I am also still waiting for the legal description from Hibbard's Architect James Fittante.

Law Counsel Leone also spoke about drones'; saying there has been a change to the law about drone's in New York State which prevents people with drones from pointing camera's on drones directly into others backyards.

Engineer Michael Marino reported that he has been coordinating the repairs for Lewiston Landing. There has been a big push to get the repairs done. The next project is the Electric Car Charging Station; the location will have to be decided.

VILLAGE BOARD REPORTS

Mayor Collesano reported that he attended the Jazz Festival fundraiser at the BBC and that he hopes they made lots of money.

Trustee Eydt reported that he attended the Niagara County shared Services meeting with Richard Updegrave about mandates that come down from the Governor. This meeting is a round table meeting of Niagara County officials who share ideas like a County Wide grant writer.

ANNOUNCEMENTS

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 joint Town / Village meeting on May 7, 2018 at 5:00 in Mayor Collesano's office, 145 N 4th St. Lewiston, NY.

There will be a Village Board Work Session Monday, May 7, 2018 at 6:00 PM in the Morgan Lewis Village Boardroom 145 N 4th St. Lewiston, NY.

The Historic Preservation Commission will be meeting on Monday, April 23, 2018 at 6:00 PM.

The Zoning Board of Appeals will be meeting on **Wednesday, April 25, 2018** at 6:00 PM in the Morgan Lewis Village Boardroom, 145 N 4th St., Lewiston, NY.

The next Planning Board meeting is scheduled for Monday, May 14, 2018 at 6:30 PM 145 N 4th St., Lewiston.

ADJOURN

A motion was made by Trustee Conde seconded by Trustee Eydt and passed with three votes to close the Village Board meeting and enter into executive session at 7:00 PM.

Amy Salada, Clerk Treasurer

EXECUTIVE SESSION

PRESENT

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

After a brief discussion no action was taken.

MOTION TO ADJOURN

A motion was made by Trustee Eydt seconded by Trustee Conde and passed with three votes to adjourn the executive session at 7:36 PM.

Amy Salada, Clerk Treasurer