

**VILLAGE OF LEWISTON
BOARD MEETING AGENDA
MONDAY, MARCH 16, 2020
6:00 PM**

I. CALL TO ORDER

II. CERTIFICATE OF APPRECIATION – QUINN MILLER

II. RESIDENTS

III. MINUTES

Approval of the February 18, 2020 Village Board Meeting minutes and March 2, 2020 Village Board Work Session minutes.

IV. BILLS: Trustee Marasco

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

LIAISON REPORTS:

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

VI. OLD BUSINESS

1. A motion to approve Lewiston Fire Company #1 to negotiate, on behalf of the Village, with the Town of Lewiston, for a new fire protection contract. The current contract expires in 2020.

VII. NEW BUSINESS

1. A motion to approve the request made by Kiwanis Club of Lewiston to hold the 42nd Annual Peach Festival 5K Run on September 12, 2020 commencing at 9:00am. The route will begin at Key Bank on Center Street, along 4th Street to River Road then to Dutton Drive and proceed to 5th Street, turn right on Plain Street and return to the Key Bank parking lot.
2. A motion to approve the request made by the Niagara River Region Chamber of Commerce to hold the annual Lewiston Smelt Festival at Academy Park on Friday, June 5, 2020. To allow for proper set up and take down, the use of Academy Park is being requested for Wednesday, June 3, 2020 – Monday, June 8, 2020 at the cost of \$50 per day, for a total fee of \$300. This request also includes use of eight Village of Lewiston barricades and six Village of Lewiston garbage bins.

3. A motion to approve the recommended following changes to the Village Code Fee Schedule:

Sec. C-1. - Zoning.

- (1) Application to zoning board of appeals \$35.00 → \$75.00
- (2) Request for special zoning board of appeals meeting 35.00 → \$75.00
- (3) Certificate of occupancy in an R-1, R-1A and R-2 25.00
- (4) Certificate of occupancy in an R-3, R-4, R-5, B-1, RB and RB2
Up to \$50,000 value 50.00
Over \$50,000 value 100.00
- (5) Reinspection for previously certified building (new occupant) 25.00
- (6) Application for a special use permit 50.00
- (7) Application for rezoning 100.00;

Sec. C-2. - Planning and subdivisions.

- (1) Master plan 10.00 → \$20.00
- ~~(2) Subdivision packet 2.00~~
- (3) Major subdivision application 100.00 → Major/Minor Subdivision application fee - \$100.00
- (4) Minor subdivision application 50.00 → Subdivision approval fee (per lot) \$100.00
- (5) Request for special planning meeting 35.00 → \$75.00
- (6) Application for development plan approval 50.00 → \$100.00
- (7) State environmental quality review environmental assessment form (SEQREAF) 50.00 → \$100.00

Sec. C-4. - Garbage.

- (1) Commercial \$15.00 → \$20.00
- (2) Plus, per container in excess of 12 0.20 → 0.30

Sec. C-5. - Administrative fees/fees for use of village property.

- (1) Photocopies, per copy 0.25
- (2) Rent of municipal building:
 - (a) Per square foot 8.00
 - (b) Room on a daily basis other than the gym 20.00
 - (c) Use of gym by the hour 10.00
- (3) Tax search certificate 10.00 → \$25.00
- (4) Copies of death certificates 10.00
- (5) Solicitors license, 14-20 25.00 → \$75.00
- (6) Academy Park 50.00
 - (a) Band Shell 25.00
- (7) Lewiston Landing Waterfront Park 50.00
 - (a) Shelter 25.00
- (8) Hennepin Park 50.00
 - (a) Gazebo 25.00
- (9) Lewiston Plateau/Habitat Area 50.00
↳ Richard F. Soluri Park

Sec. C-6. - Department of public works.

- (1) Installation of corrugated sewer pipe:
 - (a) Up to 15 inches, per foot 10.00
 - (b) Over 15 inches cost plus
- (2) Sewer permit, new construction:
 - (a) Three-fourths-inch tap \$600.00
 - (b) One-inch tap 800.00

Fees for taps greater than one-inch shall be priced per job.

- (3) Sewer inspection requested by owner, realtor, bank, etc., for compliance with sewer laws 60.00 → \$75.00

- (4) Waterline, new construction:
 - (a) Three-fourths-inch tap 600.00
 - (b) One-inch tap 800.00

Fees for taps greater than one-inch shall be priced per job.

- (5) Water shutoff at street 15.00
- (6) Water turnon at street 15.00
- (7) Testing meter:
 - (a) In home, over dispute 15.00
 - (b) In shop, as required by owner 20.00

(Code 1978, app. C; Res. No. 9-1983; L.L. No. 9-92; Res. of 5-29-1992; Res. of 11-16-1992; Res. of 10-4-1999; L.L. No. 1-2009; Res. of 4-4-2011; L.L. No. 4-2018)

Sign permit Fees:

Current:	permanent → \$40.00	Proposed:	permanent	temporary
	temporary → \$35.00 (max. 30 days)		under 25 sq. ft → \$50.00	\$50.00
			25 - 35 sq. ft → \$100.00	
			35 - 40 sq. ft → \$150.00	
			(+\$10/sq. ft over 40 sq. ft)	

- 4. A motion to schedule public work sessions for The Village Board of Trustees and Treasurer Myers to discuss the tentative 2020-2021 Budget on:

-April 6, 2020 immediately following the Village Board Work Session
-April 15, 2020 at 5:00 PM
-April 20, 2020 at 5:00 PM; Public Hearing at 6:00 PM to adopt the 2020-2021 Budget.

- 5. A motion to adopt a resolution for the Village Election to be held on Tuesday, June 16, 2020:

BE IT RESOLVED: by the Village Board of Trustees of the Village of Lewiston, New York that the General Village Election for the Village of Lewiston, New York in the County of Niagara will be held at the Village of Lewiston Municipal Building, 145 N 4th Street, Lewiston, NY on Tuesday, June 16, 2020 and the polls for said election will be open between the hours of 12:00 noon until 9:00 PM. (Election Law 15-104 3)

- 6. A motion to approve the request made by Lewiston Fire Co. #1 for the following Conditional Memberships:

Mark Thomas Fontanella
Chloe St. Laurent
Eve Pacia, effective 3/19/2020 on her 18th Birthday

7. A motion to approve the budget amendment request made by Treasurer Myers as follows:

From: A00-1990-4000 Contingent - \$5,196.70
To: A00-1420-4150 Law-Other - \$5,196.70

This budget amendment is to pay Hodgson Russ LLP Attorneys for consulting with the BAN for Lewiston Landing.

8. A motion to approve the request made by Boy Scout Troop 855 to place the Flag of the United States of America at the intersections on Center Street from 4th to 9th Street. Installation will occur in mid-May to ensure they are in place for Memorial Day weekend, and efforts will be made to maintain the displayed flags until mid-September for the summer season. The items needed for this year's installation are as follows:

<u>Item</u>	<u>No.</u>	<u>Price</u>	<u>Total</u>
US Flag	24	\$4.25	\$102
Flagpole	10	\$10.25	\$102.5
Bracket	10	\$7.59	\$75.90
			<u>Total: \$280.40</u>

9. A motion to adopt the following resolution:

RELATIVE TO IMPLORING THE STATE OF NEW YORK TO AMEND THE CRIMINAL PROCEDURE LAW, IN RELATION TO ENSURING PRIVACY PROTECTIONS FOR ALL EMERGENCY PERSONNEL PRESENT AT A CRIME SCENE.

WHEREAS, in the final stages of adopting its Fiscal Year 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, while The Village of Lewiston recognizes the need for well-reasoned statewide bail and discovery reform, the Village of Lewiston Board of Trustees unanimously supported the total repeal of these recently enacted bail and discovery reforms at its February 13, 2020 meeting, as these laws in their current form represent a clear and present danger to society by tilting the scales of justice in favor of suspected criminals and away from innocent crime victims; and

WHEREAS, one particular reform overhauled the discovery process to require an expedited timeline to provide police reports, radio transmissions and other crime scene data related to the prosecution of a crime to defendants within 15 days of arraignment; and

WHEREAS, this discovery reform will also result in an opportunity for defendants to gain access to crime scene information that may include a witness' name and address, thereby providing defendants accused of burglaries, assaults, rapes and other crimes with valuable personal information that could be used to victimize or intimidate these innocent individuals; and

WHEREAS, while New York State Criminal Procedure Law Section 245.20 protects Law Enforcement personnel from the disclosure of name and contact information in this process to safeguard them and their families from threats and intimidation, the same protection is not extended to emergency first responders such as firefighters and EMS workers, who are often the first ones to provide life-saving services at emergency crime scenes and, due to the very nature of their professions, become crime scene witnesses whose name and addresses have to be released under the current reforms; and

WHEREAS, our emergency first responders are always there to treat anyone in need of care, no matter whether they have committed a crime or not; these first responders are prepared to put their own lives on the line, but they never bargained for the possibility that their families could become targets for violence, threats and intimidation; and

WHEREAS, first responders, who are already challenged in their ability to recruit new members, will now find it even more difficult to replenish their ranks due to their vulnerability to opportunistic predators who will take advantage of this new discovery reform law to threaten their lives and their family's well-being; and

WHEREAS, to address this matter, the New York State Senate is considering legislation (Senate Bill 7280) that would protect the privacy of all emergency first responders from having their personal information shared during discovery; and

WHEREAS, while the Village of Lewiston supports a complete repeal of the State's rushed and ill-conceived bail and discovery reform laws, all of our Village's elected officials view this proposed legislation as reasonable first step toward safeguarding the privacy and well-being of our City's firefighters, EMS workers and other emergency response personnel until a complete reconsideration of the recent reform laws can be accomplished.

NOW, THEREFORE, BE IT RESOLVED that the Village of Lewiston Board of Trustees hereby implore the State of New York to immediately enact the aforementioned proposed changes to the Criminal Procedure Law and that the protections intended for First Responders therein be implemented as soon as possible; and be it further

RESOLVED, that copies of this resolution be provided to: Governor Andrew Cuomo, Lt. Governor Kathy Hochul, Attorney General Letitia James, each and every member of the New York State Legislature, Congresswomen Brian Higgins, Senator Kirsten Gillibrand, Senator Charles Schumer, the New York State Association of Counties and the New York State Conference of Mayors and Municipal Officials.

VIII. DISCUSSION

1. Facilities Contract updates
2. Corona Virus Protocol

IX. REPORTS:

CLERK	TREASURER
SUPT. PUBLIC WORKS	
LAW COUNSELOR	ENGINEER

X. BOARD REPORTS:

TRUSTEE CONDE	TRUSTEE EYDT
TRUSTEE GIBSON	TRUSTEE MARASCO
MAYOR WELCH	

XI. ANNOUNCEMENTS

The Zoning Board of Appeals meeting is scheduled at 6pm on Tuesday, March 24, 2020

The next Village Board of Trustees Work Session is scheduled at 6pm on Monday, April 6, 2020.

The next Historic Preservation Commission meeting is scheduled at 6:00pm, followed by the Planning Board meeting at 6:30pm on Monday, April 13, 2020

XII. ADJOURN