

**PRESENT** Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Coppins, Trustee Gibson, Law Counsel Leone, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez, Engineer Marino, Police Chief Previte, Recreation Director McDermott, Historian Piper

**EXCUSED** Superintendent Wills, Building Inspector Candella, Fire Inspector Beebe

**PUBLIC HEARING** Mayor Welch called the public hearing to order with the Pledge of Allegiance at 6:03pm on the following:

**Local Law 2-2022: Stop Intersections:**

**Through Streets**

Plain Street  
Seneca Street  
Cayuga Street  
Center Street

**Stop Streets**

Niagara Street, south  
South Fourth Street, north and south  
South Fourth Street, north and south  
Water Street, north and south

Village resident, Anthony Girasole stated that he agrees with the need for traffic control, not only for Artpark traffic but for everyone; South 4th Street is a bit of a raceway. My concern is with the addition of the proposed stop signs, the vehicle lights shining in our windows. Have there been any traffic studies? Between Cayuga Street and Seneca Street, where is the traffic heavier?

Village resident, Marianne Gittermann stated that she really didn't give much thought to vehicle lights being an issue with the addition of the proposed stop signs, because people who drive down South 4th Street typically don't go all the way to Artpark. I do agree with Girasole, that the vehicle lights would shine in his window. In addition, if motorcycles are traveling on South 4th Street, with the additional stops will it cause more noise?

Mayor Welch replied to Girasole and Gittermann, stating that the proposed stop signs are similar to N. 4th Street, they have stop signs at every intersection.

Village resident, Mary Alice Eckert, stated that she has witnessed three accidents where women were hospitalized; this is a walkable community with bikes, kids, dogs...somebody is going to get hurt. We need to slow the traffic down. Even the Niagara Shuttle Bus flies down this street.

Trustee Coppins suggested that only one stop sign be added instead of the two proposed for South 4th Street; possibly at Cayuga, as it is the busier intersection. Trustee Conde agreed.

Village resident, Ann Miller stated that she does not feel stop signs work, people do not stop at them. I propose speed bumps.

Mayor Welch replied that these have been proposed in the past and this would not work well for the Department of Public Works in regards to snow plowing.

Village Resident, Ross Eckert, stated that visibility is very poor when heading east on Cayuga Street; you have to inch your way out to see.

Chief Previte stated that he appreciates everyone's concerns and these are well-intended goals, but stop signs are intended to help the flow of traffic indicating who has the right of way, not to control speed. NYS Transportation spends money to do traffic studies to prove that stop signs are not the solution to attempt to control speed. Previte read a study from the NYS Department of Transportation:

"Stop signs should never be installed as routine, cure-all approach to curtail speeding, prevent collisions at intersections, or discourage traffic from entering a neighborhood. And when they are misplaced, stop signs can make a situation

worse. “Studies have found when stop signs are placed at intersections where they are not really needed, motorists become careless about stopping.”

Previte gave an example regarding the stop sign at Mohawk and N. 7<sup>th</sup> Street; there are never any cars so people fly through it. Yes, there are issues during large events, but those can be addressed with traffic control. I have sat on South 4<sup>th</sup> Street and monitored the traffic pattern; there is not a problem with people not understanding traffic flow. Yes the street is a straight shot, but it is not a reason to add a stop sign. In my opinion, I agree with the proposed stop signs at Niagara Street and Water Street; but not on South 4<sup>th</sup> Street. We can dedicate a traffic car to a problem area – but I have to be notified when problems occur.

Previte read an excerpt from a NYC Department of Transportation study: “Stop signs should be used to control traffic flow, not traffic speed. A stop sign tells drivers and pedestrians who has the right of way. Studies made in many parts of the country show that there is a high incidence of intentional violations where stop signs are installed as “nuisances” or “speed breakers”. While speed is reduced in the immediate vicinity of the “nuisance” stop signs, speeds are actually higher between intersections than they would have been if those signs had not been installed.”

Previte added that they would enforce whatever the board decides.

Elizabeth Girasole thanked Previte for the information provided on stop signs and traffic studies; it was very enlightening.

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to close the public hearing at 6:38pm.

**CALL TO ORDER** Mayor Welch called the meeting to order at 6:38pm.

**RESIDENTS** Village resident, Ann Miller, expressed her concerns regarding short-term rental properties in the village that are not being maintained. Miller suggested that these properties should be owner-occupied. It is not sustainable if we keep adding these properties to the village, we will no longer have a village; we are going to have a hotel.

Mayor Welch responded that this is something that has been recently been discussed, and the Planning Commission and Village Board of Trustees will be starting an advisory committee to address short-term rental properties.

Village resident, Mark Lafratta, expressed concerns regarding a neighboring abandoned property, which is overgrown and not being maintained.

Mayor Welch stated that we have been working with our Law Counsel regarding this property, and unfortunately, there is a lot we have to go through.

Lafratta also addressed the overgrown hedges neighboring his property that are located on village owned property. Lafratta suggested removing these. Mayor Welch said she would talk with Superintendent Wills.

**MINUTES** A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the July 18, 2022 Board Meeting minutes.

**BILLS** A motion was made by Trustee Conde seconded by Deputy Mayor Eydt and passed unanimously to approve the August 2022 bills as presented by Treasurer Longwell in the following amounts:

General Fund: \$171,344.93  
Trust & Agency: \$13,046.22

**REPORTS** **Recreation Director McDermott** stated that he is wrapping up summer programs and preparing for fall. McDermott added that on many occasions he has had issues with dogs on the splash pad in the Marilyn Toohey Park. I don't feel it is safe and they should not be permitted; kids are running around and it is very noisy which can spook and cause a reaction in even the friendliest of dogs. The Board of Trustees agreed with Brendan and discussed to have a sign placed in the park stating that dogs are not permitted.

**Historian Piper** stated that he is working on his next project in the Village of Lewiston Cemetery. Piper added that he acquired new pieces, and is working to keep his collection going.

**LIAISON REPORT** **Deputy Mayor Eydt** told Engineer Marino we received the funds from ARPA (American Rescue Plan Act of 2021) in the amount of, \$131,794.47, and he can begin working on the 9th Street water line project.

**Trustee Coppins** stated that she has met with the Chamber of Commerce; Jennifer and Suzanne are very busy preparing for Jazz Fest. I have been working with Beautification on Christmas decorations. Trustee Gibson and I still have to meet with the VFW. Jill Palermo from the Lewiston Library is on vacation, I am waiting for her to return to introduce myself.

**OLD BUSINESS** **Lewiston Landing Sign**  
A discussion ensued on the proposed art piece/Lewiston Landing sign to be made and donated by Dan Buttery, owner of Black Fab Metal Lab. Mayor Welch stated that this is not just a sign, it is an art piece and it will fit in the step garden. Deputy Mayor Eydt added that the proposed location is covering a retention pond for the sewer system that is required by the Department of Environmental Conservation. Trustee Gibson stated that the step garden is sort of like a stage to display this art piece.

A motion was made by Deputy Mayor Eydt seconded by Trustee Gibson and passed unanimously to approve the proposed art piece/Lewiston Landing sign to be placed on the step garden as presented by Dan Buttery.

**Camera Estimate/Proposal for Marilyn Toohey Playground**

Technical Solutions owner, Graeme Litt, proposed price estimates for updates and additions to the existing camera system at the Red Brick Building, to incorporate surveillance cameras in the playground and in the lower floor/recreation department. Trustee Coppins stated that she thinks we will be much happier with this proposes system.

A motion was made by Trustee Coppins seconded by Trustee Gibson and passed unanimously to approve the upgraded camera surveillance system as presented, and to use the funds from the sale of 475 Ridge Street for the expense.

**NEW BUSINESS** **Local Law #2-22: Stop Intersections**  
A motion was made by Deputy Mayor Eydt and seconded by Trustee Conde to adopt Local Law #2-22: Stop Intersections; to add the following stop signs:

**Through Streets**

**Stop Streets**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed with five yes votes to approve the following:

**Through Streets**

**Stop Streets**

Plain Street

Niagara Street, south

A motion was made by Deputy Mayor Eydt and seconded by Trustee Conde to approve the following:

**Through Streets**

**Stop Streets**

Seneca Street

South Fourth Street, north and south

Clerk Fundis polled the board and the motion did not pass with five NO votes:

Trustee Conde – NO	Dep. Mayor Eydt – NO
Trustee Coppins – NO	Trustee Gibson – NO
Mayor Welch – NO	

A motion was made by Trustee Conde and seconded by Trustee Coppins to approve the following:

<b>Through Streets</b>	<b>Stop Streets</b>
Cayuga Street	South Fourth Street, north and south

Clerk Fundis polled the board and the motion passed with four YES votes:

Trustee Conde – YES	Dep. Mayor Eydt – YES
Trustee Coppins – NO	Trustee Gibson – YES
Mayor Welch – YES	

A motion was made by Trustee Gibson and seconded by Deputy Mayor Eydt to approve the following:

<b>Through Streets</b>	<b>Stop Streets</b>
Center Street	Water Street, north and south

Clerk Fundis polled the board and the motion passed with five YES votes:

Trustee Conde – YES	Dep. Mayor Eydt – YES
Trustee Coppins – YES	Trustee Gibson – YES
Mayor Welch – YES	

All other provisions of the Lewiston Village Code, Section §11-19 shall remain as therein stated and unchanged.

#### **Budget Amendment Request**

A motion was made by Deputy Mayor Eydt seconded by Trustee Gibson and passed unanimously to approve the budget amendment request from Treasurer Longwell as follows:

From: A00-8510-1000 – Beautification Personal – \$1,482.00

To: A00-8510-1020 – Beautification Pesticide Certification - \$1,482.00

#### **Additional Street Lights**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to table the resolution to add streetlights on Center Street and North 2<sup>nd</sup> Street, to be added to the Work Session on September 6, 2022.

#### **Lewiston Fire Co. No. 1 Request**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to accept the request made by Lewiston Fire Co. No.1 to accept the resignation of Emily Harrell.

#### **NYS & Local Retirement Work Day Reporting**

A motion was made by Deputy Mayor Eydt seconded by Trustee Coppins and passed with three yes votes to approve New York State and Local Retirement System Work Day and Reporting Resolution for Elected and Appointed Officials Trustee Nicholas Conde, Trustee Daniel Gibson, Historian Russell Piper, Planning Commission Member Doreen Albee, and Historic Preservation Commission member Loretta Frankovitch. Trustee Gibson and Trustee Conde abstained.

#### **Niagara Falls USA Marathon**

A motion was made by Trustee Gibson seconded by Trustee Coppins and passed unanimously to approve the request made by iRun WNY Inc to host the 2023 Niagara Falls USA Marathon, Half Marathon, and Historic Lewiston 5K on Friday April 28, 2023 (5K at Artpark and Village of Lewiston) and Saturday April 29, 2023 (Half Marathon & Full Marathon from Artpark to Niagara Falls).

**892 Seneca/DPW Garage – Discontinuance of portion of Seneca Street**

A motion was made by Trustee Gibson seconded by Trustee Coppins and passed unanimously to schedule a public hearing on the discontinuance of a portion of Seneca Street (800 block) to allow the expansion of the Department of Public Works Garage on Tuesday, September 6, 2022 at 6:00pm.

**Lewiston Christmas Walk**

A motion was made by Trustee Gibson seconded by Deputy Mayor Eydt and passed unanimously to approve the request made by the Niagara River Region Chamber of Commerce to host the annual Lewiston Christmas Walk beginning Saturday, December 3, 2022 and ending Sunday, December 4, 2022 with the parade. The request includes use of Academy Park, DiMino Band Shell, Hennepin Park and the Peace Garden, and partial closing of Center Street in order to welcome Santa's processional for approximately 15 minutes.

**Lewiston Christmas Lights Parade**

A motion was made by Deputy Mayor Eydt seconded by Trustee Coppins to approve the request made by the Niagara River Region Chamber of Commerce to host the 2<sup>nd</sup> annual Christmas Lights Parade on Sunday, December 4, 2022 from approximately 3:00pm – 8:00pm. This request includes use of Center Street from Ninth to Fourth Street, Portage Road from Seneca to Center Street, and South Fourth to Plain Street and Academy Park.

**Trick or Treat on Center**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to approve the request made by the Niagara River Region Chamber of Commerce to host Trick or Treat on Center Street on Saturday, October 29, 2022 from Noon – 5pm (actual event time TBD). This request includes use of the International Peace Garden and Hennepin Park.

**Executive Session**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to enter into Executive Session immediately following the close of the meeting to discuss real property.

**DISCUSSION****Peach Fest 5K Run Date/Location Change**

Clerk Fundis reported that the Peach Fest 5K will now be held on Thursday September 1, 2022 at Kiwanis Park utilizing the bike trail; it will be completely off road and will cause no stop in traffic.

**Planning Commission Request - Board of Trustees to start an advisory commission to review short-term rental properties.**

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to start an advisory committee to review short-term rental properties, potentially consisting of the following members:

Mayor Anne Welch – Village Board of Trustees  
Trustee Tina Coppins – Village Board of Trustees  
Doreen Albee – Planning Commission  
Rita Geiben – Historic Preservation Commission  
Savana Bevacqua – Zoning Board of Appeals

Treasurer Longwell stated that Police Chief Previte stated that he would like to provide input in regards to this matter, but does not need to be a member of the committee.

**Planning Commission Request - Board of Trustees to evaluate the need to make exceptions to the existing sign regulations due to Covid-19 Pandemic.**

After a discussion regarding the relaxation of sign laws, it was decided that this relaxation will continue through September 12, 2022, following the NYS Covid-

19 Pandemic advisories. Mayor Welch stated that she would like the Planning Commission to review the current sign regulations, and come up with a plan to help businesses that do not directly front Center Street.

**REPORTS** **Clerk Fundis** stated that she is continually working on park rental fees and updates to the facilities use agreement. This will be discussed further at the work session on September 6, 2022. Trustee Coppins stated that she has a community use agreement that she could give to Clerk Fundis to use as a guide and tailor to fit our purpose instead of having to start from scratch.

**Law Counsel Leone** stated that the Historic Preservation Commission has requested to amend a law, and that he have a response back within a few weeks.

**Engineer Marino** gave an update on the progress being made for the Department of Public Works building addition, the design work for the water line to be added to 9<sup>th</sup> Street, the replacement of stairs and improvements to the fish cleaning station at Lewiston Landing, the electronic vehicle charging stations to be installed soon, and work being done on the waterfront.

**BOARD** **Trustee Conde** made a suggestion that the funds from the Red Brick pavilion  
**REPORTS** rental fees be placed in a maintenance fund directly used for the playground.

**Trustee Gibson** stated that he attended a BB's Bingo event held at Brickyard Brewing Company and he thought it was a wonderful event with food and music. This was a charity event that brought in over 350 toys for children for Christmas. I highly recommend you attend one of these events, it was an absolute riot.

**Trustee Coppins** added that she has tickets for bingo at the BB's Bazaar event on Saturday, August 20, 2022; I will talk with owner, Bianca Falsetti, if anything gets too crazy.

Trustee Coppins inquired about sidewalk slopes and curbing issues resulting from the streetscape work done on Center Street with. A discussion ensued, and it was stated that the issues have been reported to the contractor and are being addressed.

#### ANNOUNCEMENTS

The Zoning Board of Appeals meeting will be held at 6:30pm on Tuesday, August 23, 2022.

The Village Board of Trustees Work Session will be held at 6pm on **Tuesday**, September 6, 2022.

The Historic Preservation Commission meeting will be held at 6pm, immediately followed by the Planning Board meeting on Monday, September 12, 2022.

The Village Board of Trustees meeting will be held at 6pm on Monday, September 20, 2022.

The Village Clerk's office and DPW will be closed on Monday, September 5, 2022 in observance of Labor Day.

**ADJOURN** A motion was made by Deputy Mayor Eydt seconded by Trustee Gibson and Trustee Coppins in unison and passed unanimously to adjourn the meeting and enter into executive session at 7:49pm.

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Shannon Fundis, Clerk

**EXECUTIVE SESSION**

**PRESENT** Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Coppins, Trustee Gibson, Law Counsel Leone, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez

**CALL TO ORDER** Mayor Welch called the Executive Session to order at pm.

No action was taken.

**ADJOURN** A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and Trustee Conde and Trustee Gibson in unison and passed unanimously to adjourn the executive session at 8:31pm.

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Shannon Fundis, Clerk