

**PRESENT** Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Gibson, Trustee Marasco, Superintendent Wills, Law Counsel Leone, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez, Building Inspector/Zoning Officer Candella, Fire Inspector Beebe, Chief Previte, Engineer Marino, Recreation Director McDermott, Historian Piper

**PUBLIC HEARING** Mayor Welch opened the public hearing with the Pledge of Allegiance at 6:08pm to adopt the Local Waterfront Revitalization Program Amendment.

No remarks were made on the public hearing. A motion was made by Deputy Mayor Eydt seconded by Trustee Gibson and passed unanimously to adjourn the meeting at 6:09pm.

**CALL TO ORDER** Mayor Welch called the meeting to order at 6:09pm.

#### **CERTIFICATE OF APPRECIATION**

Mayor Welch and the Board of Trustees issued a Certificate of Appreciation to William Brodie for his 47 years of service as a member of the Zoning Board of Appeals, Planning Commission and as Zoning Officer. You have done an outstanding job, and we hate to see you go, but all good things have to end.

**RESIDENTS** **Kristin Savard**, representative for the Lewiston-Porter Youth Football program, gave a proposal for a flagpole to be placed at the Richard F. Soluri Park, in order to be approved to host football scrimmages and games. Savard stated they would like to hang a 3x5 flag with solar lights from the top and bottom for illumination. We will also plant a larger radius garden around the flagpole.

A motion was made by Deputy Mayor Eydt seconded by Trustee Gibson and passed unanimously to approve a 20-foot flagpole at the entrance of the Richard F. Soluri Park.

**MINUTES** A motion was made by Trustee Marasco seconded by Trustee Gibson to approve the July 19, 2021 Village Board Meeting minutes.

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

**General Fund: \$252,522.08**

**Capital Fund: \$2,796.92**

**Trust & Agency: \$1,092.77**

**REPORTS** **Police Chief Previte** stated that there have been many traffic complaints, and the police department is working hard to correct it. Previte also commented on the Art Festival weekend, that aside from some parking issues, everything went well.

**Historian Piper** gave updates on the Bicentennial and work in the cemetery.

**Recreation Director McDermott** gave an update on the upcoming Fall programs and Halloween events. We have registration forms on our website for those who volunteer for the Marilyn Toohey All-Inclusive Playground community build event. For our winter programs, we are expanding the youth basketball program and getting into a league format, working with Jeff Gruarin from Youngstown.

**Chairperson Frankovitch of the Historic Preservation Commission** stated that they are currently working on the Historic Preservation section of the Village code book; it is not ready yet, we are working with SHPPO and waiting for suggestions and will present to the Village Board of Trustees once it is ready.

**LIAISON REPORTS** **Trustee Marasco** commented on the success of the Art Fest this year and thanked the Department of Public Works, Police & Fire Department for all their hard work

**Deputy Mayor Eydt** mentioned that the Lewiston Historic Museum had visitors from all of the country that were here for the Art Festival.

**OLD  
BUSINESS**

**Standard Work Day for Elected Officials**

A motion was made by Trustee Marasco seconded by Deputy Mayor Eydt and passed with three yes votes to approve the New York State and Local Retirement System Standard Work Day and Reporting Resolution for Elected Officials for Trustee Daniel Gibson, Trustee Nicholas Conde and Village Historian Russell Piper. Trustee Gibson and Trustee Conde abstained from voting.

**Artpark – Mural Art Project**

David Seide, Artpark Curatorial Project Manager, gave an updated presentation on the proposed Artpark Mural project. Seide showed depictions of the artwork they would like to continue on South 4<sup>th</sup> Street from inside of Artpark. Seide explained that the artwork would be minimal, sporadic, and could skip areas of the sidewalk in front of homes that are not in favor of the project. Seide stated that he took feedback into consideration after the last presentation from residents and the board members, and asked that this project be reconsidered.

Mayor Welch stated that she went on a walk to see the start of the art project in Artpark with Rita Geiben, member of the Historic Preservation Commission, and that both thought the work is wonderful. What is proposed is not intrusive to the resident's sidewalks or property. Welch added that she thinks this would be a good start for the connection between the community and Artpark

Resident, Lu Olson, of 145 S. 4<sup>th</sup> Street, spoke in favor of the art project. I am enthusiastic about this project, I like that it pulls us in and shows our support for Artpark. We moved here for the exciting things going on in the Village. This is the time to do it; I would also like to suggest that something grand be done and the entrance to Artpark on S. 4<sup>th</sup> Street.

After a discussion, the decision was made for Trustee Conde and Trustee Marasco would work with Seide and personally speak with the residents of S. 4<sup>th</sup> Street, and a decision will be made on the art project at the Village Board work session to be held on Tuesday, September 7, 2021.

**NEW  
BUSINESS**

**LWRP Amendment Resolution for Adoption**

A motion was made by Deputy Mayor Eydt and seconded by Trustee Marasco to adopt the following resolution:

**Local Waterfront Revitalization Program Amendment**

**WHEREAS**, the Village of Lewiston initiated preparation of an amendment to the Local Waterfront Revitalization Program in cooperation with the New York State Department of State, pursuant to Article 42 of the Executive Law; and

**WHEREAS**, a Draft Local Waterfront Revitalization Program Amendment was prepared and circulated by the Department of State to potentially affected State, Federal, and Local agencies in accordance with the requirements of Executive Law, Article 42; and

**WHEREAS**, the Village of Lewiston Village Board of Trustees, as lead agency, filed a Negative Declaration-Notice of Determination of Non-Significance on September 18, 2017 for preparation of the Local Waterfront Revitalization Program Amendment pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act);

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Lewiston Local Waterfront Revitalization Program Amendment is hereby adopted, and that the Village of Lewiston Mayor is authorized to submit the LWRP to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

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

Trustee Conde – YES

Trustee Gibson – YES

Trustee Marasco – YES

Deputy Mayor Eydt – YES

Mayor Welch - YES

**“Slow Roll” Event**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the request made by the Niagara River Region Chamber of Commerce to move the “Slow Roll” event date to Saturday, August 21, 2021, and for the congregating place for participants to begin at Hennepin Park instead of Academy Park. This event was originally approved at the Village Board Meeting held on June 21, 2021.

**Lewiston Fire Co. #1 Roster Request**

The request made by Lewiston Fire Co. #1 to remove Eva Frankovitch from the Village list was tabled to the following meeting.

**490 Center – Casa Antica Permit For Improvement in Village Right of Way**

A motion was made by Dep. Mayor Edyt seconded by Trustee Gibson and passed unanimously to approve the request made by Jack Soldano, owner of Casa Antica, who is requesting a permit to make improvements in the Village right of way to create additional parking spots at 135 N. Fifth Street. The permit was approved and granted by the Zoning Board of Appeals on Tuesday, August 10, 2021.

**Bill Brodie - ZBA Resignation**

A motion was made by Trustee Conde seconded by Trustee Marasco and passed unanimously to accept the resignation of Bill Brodie for the Zoning Board of Appeals Chairperson.

**Mike Swanson – ZBA Chairperson Appointment**

A motion was made by Trustee Conde seconded by Deputy Mayor Eydt and passed unanimously to accept Mike Swanson as the Zoning Board of Appeals Chairperson.

**Pat Chille – ZBA Appointment**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to appoint Pat Chille as a member of the Zoning Board of Appeals for a five-year term to June 2026.

**2021 Peach Festival Parade**

A motion was made by Trustee Gibson seconded by Deputy Mayor Eydt and passed unanimously to approve the request from Kiwanis Club of Lewiston to hold the 64<sup>th</sup> annual Peach Festival Parade on Saturday, September 11, 2021 from 10am-1pm.

**Center Street Resurfacing - Resolution**

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

**Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let-Contract**

**WHEREAS**, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of PMI-ROUTE 18F; NSP SB RAMP TO SOUTH 4<sup>TH</sup> STREET in the Village of Lewiston located in Niagara County, PIN 5814.43, and

**WHEREAS**, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project mill and resurfacing of NY 18F (Center Street) from Niagara Scenic Parkway Southbound Ramp to South 4<sup>th</sup>

Street pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

**WHEREAS**, the service life of the relocated and or replaced utilities has not been extended, and

**WHEREAS**, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

**NOW, THEREFORE,**

**BE IT RESOLVED:** That the Village of Lewiston approves of the mill and resurfacing of NY 18F (Center Street) from Niagara Scenic Parkway Southbound Ramp to South 4<sup>th</sup> Street and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Lewiston will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

**BE IT FURTHER RESOLVED:** that Mayor Anne Welch has the authority to sign, with the concurrence of the Village Board of Trustees, any and all documentation that may become necessary as a result of this project as it relates to the Village of Lewiston, and

**BE IT FURTHER RESOLVED:** That the clerk of the Village of Lewiston is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

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

Trustee Conde – YES                      Trustee Gibson – YES                      Trustee Marasco – YES  
    Deputy Mayor Eydt – YES                      Mayor Welch - YES

#### **Executive Session**

A motion was made by Trustee Conde seconded by Trustee Marasco and passed unanimously to enter into executive session immediately following this meeting to discuss real property and contested water bills.

#### **DISCUSSION**

##### **Peace Garden Funding**

A discussion ensued regarding the use of funds held in the account utilized for the International Peace Garden.

##### **Marijuana Legalization**

A discussion ensued regarding the details and time frame for the opt-out option of marijuana legalization within the Village of Lewiston.

##### **Memorial Day Parade for 2022**

A discussion ensued regarding the 2022 Memorial Day Parade. Trustee Marasco suggested that the 2022 Memorial Day Parade be postponed until the following year due to the Bicentennial event holding a parade event five weeks later.

Mayor Welch stated that the Memorial Day Parade is to honor veterans and military that have passed; this would need to be discussed with the Remembrance Committee.

#### **REPORTS**

**Clerk Fundis** announced a hazardous waste clean-up event held at the Town of Lewiston on August 21, 2021, and an electronics recycling event held at the Fashion Outlets Mall parking lot on September 18, 2021.

**Engineer Marino** gave updates on the plans for the Department of Public Works garage, the promenade, restrooms at Academy Park, current grant work, the ice

boom, cameras and transient section of Lewiston Landing, and the proposed second service water line to bring into the Village.

**BOARD REPORTS** **Deputy Mayor Eydt** stated that he is working on getting new cameras at the docks at Lewiston Landing. There have been recent issues at the docks and the cameras are not functioning as good as they should be.

**Trustee Marasco** mentioned that upon the Arts Council move to the Red Brick building, that they would require a closet or storage, which is not available in the room that has been offered to them.

Clerk Fundis mentioned that there was a small unrented room that could be utilized for their storage.

#### ANNOUNCEMENTS

The Village Board of Trustees Work Session meeting will be held at 6:00pm on September 7, 2021.

The Historic Preservation Commission meeting will be held at 6pm, immediately followed by the Planning Board meeting on Monday, September 13, 2021.

The Village Board of Trustees meeting will be held at 6:00pm on September 20, 2021.

The Zoning Board of Appeals meeting will be held at 6:30pm on Tuesday, September 28, 2021.

The Clerk's office and DPW will be closed on Monday, September 6, 2021 in observance of Labor Day.

**ADJOURN** A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to adjourn the meeting and to enter into executive session at 7:37pm.

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Shannon Fundis, Clerk

**EXECUTIVE SESSION** Mayor Welch opened the Executive Session at 7:44pm.

**ADJOURN** A motion was made by Trustee Conde seconded by Deputy Mayor Eydt and passed unanimously to adjourn the executive session at 8:14pm.

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Shannon Fundis, Clerk

**CALL TO ORDER** Mayor Welch called the public meeting to order at 8:14pm.

#### **Artpark – Sewer Pardon Request**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to approve the request made by Artpark to pardon the sewer portion of the July 2021/third quarter water/sewer billing, conditional upon the replacement and installation of new water meters at Artpark's cost.

**ADJOURN** A motion was made by Trustee Conde seconded by Trustee Marasco and passed unanimously to adjourn the meeting at 8:16pm.

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Shannon Fundis, Clerk