

PUBLIC HEARING Mayor Welch opened the public hearing at 6:02pm on the proposed Local Law 01-2021 – Flood Damage Prevention as authorized by the NYS Constitution, Article IX, Section 2, & Environmental Conservation Law, Art. 36

No residents spoke. A motion was made by Trustee Eydt seconded by Trustee Gibson to close the public hearing at 6:03pm.

Mayor Welch opened the public hearing at 6:04pm on the proposed Local Law 02-2021 – Waterfront Consistency Law Review.

Trustee Eydt commented that this waterfront consistency law has been very comprehensive and has taken a lot of time and work.

No residents spoke. A motion was made by Trustee Conde seconded by Trustee Marasco to close the public hearing at 6:05pm.

Mayor Welch opened the public hearing at 6:05pm on the proposed Local Law 03-2021 – Grease Trap Requirements.

Mayor Welch stated that there have been problems over the years with grease backing up in the sewer lines, and that the Village of Lewiston adopted the Town of Lewiston sewer regulations in our code. This new law will be more in depth, and acknowledging the property owner will be liable for backups due to non-compliance.

No residents spoke. A motion was made by Trustee Gibson seconded by Trustee Conde to close the public hearing at 6:06pm.

PRESENT Mayor Welch, Trustee Eydt, Trustee Conde, Trustee Marasco, Superintendent Wills, Chief Previte, Law Counsel Leone, Engineer Marino, Clerk Fundis, Treasurer Myers, Deputy Clerk Vazquez, Recreation Director McDermott, Village Historian Piper

EXCUSED Building Inspector/Zoning Officer Candella, Fire Inspector Beebe

CALL TO ORDER Mayor Welch called the Village Board of Trustees meeting to order with the Pledge of Allegiance at 6:06pm.

RESIDENTS Gerry and Greg Gismondi, of Amendola Properties and B&K Properties spoke on a dispute of water bills for the following property addresses on Cayuga Street: **725, 757, 763, 777.**

Gerry Gismondi expressed concerns of the extremely high water bills they have received for the mentioned properties after having new water meter heads installed in November, 2020. Gismondi expressed his concerns that it does not seem fair to estimate a utility bill for that long. We did not know that these were being estimated; in the past, it used to be stated on the water bill if it was estimated. New York State requires that a utility bill cannot be estimated more than two billing cycles, or the property owner must be notified.

Mayor Welch addressed that the village has informed residents through letters, stickers placed on water bills, notices on signs at Academy Park, and in the paper that they need to contact the Clerk's office to set up an appointment to replace their water meter head. Welch also mentioned that due to the Covid-19 Pandemic, public works employees were not going inside buildings to read meters.

Treasurer Myers presented past water bills for the disputed properties where a sticker had been on the bill informing property owners to contact the Clerk's office to replace the water meter head. The bills presented were returned with payment from the property owner.

Gismondi stated that he felt the information on the sticker was vague.

Mayor Welch reiterated that the sticker states to contact the Clerk’s office.

Gismondi expressed his concerns that if the reader was faulty, that the meter is faulty as well.

Superintendent Wills stated that the meter is not faulty, only the transponder. This only prevents us from being able to get a reading from the truck. This is the communication part of the meter.

Treasurer Myers mentioned that the village has agreed to remove and waive all penalties and suggested that Deputy Superintendent Mang do another meter read on the four properties in question.

It was decided by the Board of Trustees to do another meter reading for the properties and to discuss at the next meeting.

MINUTES A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the December 21, 2020 Village Board Meeting and January 4, 2021 Work Session minutes.

BILLS A motion was made by Trustee Gibson seconded by Trustee Marasco and passed unanimously to approve the January 2021 bills as presented by Treasurer Myers:

General Fund - \$166,190.65

Capital Fund - \$7,073.75

Trust and Agency - \$1,933.91

REPORTS **Police Chief Previte** inquired about upcoming festivals, and suggested that if any were approved, that the facilities use agreement should reflect New York State requirements and guidelines regarding the Covid-19 Pandemic.

Historian Piper mentioned that social media has taken off, there have been many acquisitions and the cemetery cleanup project will begin again in the Spring.

Recreation Director McDermott gave a report on grants he is working on, current crafts projects, and an update on the potential of holding a Spring Fling event.

LIAISON REPORTS **Trustee Marasco** gave an update on potential grant opportunities for the Fire Company; I have spoken with Chief Myers who has said he is pursuing some of these grants already.

NEW BUSINESS **Local Law 01-2021 – Flood Damage Prevention**
 A motion was made by Trustee Marasco seconded in unison by Trustee Gibson and Trustee Conde to adopt Local Law 01-2021 – Flood Damage Prevention as authorized by the NYS Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36.

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

Trustee Conde	YES	Trustee Gibson	YES
Trustee Eydt	YES	Trustee Marasco	YES
Mayor Welch	YES		

Local Law 02-2021 – Waterfront Consistency Law Review

A motion was made by Trustee Eydt seconded by Trustee Marasco to adopt Local Law 02-2021 – Waterfront Consistency Law Review.

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

Trustee Conde	YES	Trustee Gibson	YES
Trustee Eydt	YES	Trustee Marasco	YES
Mayor Welch	YES		

A motion was made Trustee Eydt and seconded by Trustee Conde to adopt the following resolution:

RESOLUTION FOR THE ADOPTION OF WATERFRONT CONSISTENCY REVIEW LAW

WHEREAS, the Village of Lewiston has prepared a Local Waterfront Revitalization Program (LWRP), pursuant to Article 42 of the New York State Executive Law – the Waterfront Revitalization of Coastal Areas and Inland Waterways Act; and

WHEREAS, the LWRP and supporting laws were prepared under the review and guidance of the Village of Lewiston Waterfront Advisory Committee, with planning consultation assistance and reviewed by the New York State Department of State and other affected agencies; and

WHEREAS, to provide a framework for agencies of the Village of Lewiston to incorporate the policies and purposes contained in the LWRP when reviewing applications for actions or direct agency actions within the Waterfront Revitalization Area, and to assure that such actions and direct actions by Village agencies are consistent with the LWRP policies and purposes, a Waterfront Consistency Review Law and supporting Waterfront Assessment Form were prepared; and

WHEREAS, in accordance with Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), the Village of Lewiston Board of Trustees, as the designated SEQR Lead Agency conducted a coordinated review to identify and evaluate the potential impacts of adopting the Village of Lewiston Waterfront Consistency Review Law, and adopting a SEQR Negative Declaration of Significance on January 19, 2021; and

NOW, THEREFORE BE IT RESOLVED, that the Village of Lewiston Board of Trustees hereby adopts the Village of Lewiston Waterfront Consistency Review Law and Waterfront Assessment Form; and

BE IT FURTHER RESOLVED, that this local law is adopted under the authority of Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of Executive Law); and

BE IT FURTHER RESOLVED, that the Village of Lewiston Clerk shall file this newly adopted Law with the New York State Secretary of State’s Office, as required.

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

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

Local Law 03-2021 – Grease Trap Requirements

A motion was made by Trustee Gibson and seconded by Trustee Eydt to adopt Local Law 03-2021 – Grease Trap Requirements. This law amends existing Local Law 20-108-2.

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

Trustee Conde – YES
Trustee Eydt – YES
Mayor Welch – YES

Trustee Gibson - YES
Trustee Marasco – YES

A motion was made by Trustee Conde seconded by Trustee Marasco to adopt a **Resolution to amend appendix C – Schedule of Miscellaneous Fees**

WHEREAS, C-6 (8) Sewer backups, and plugged sewer lines, caused by the discharge of grease into the sanitary sewer lines from businesses, the owner will be charged for the cost of the grease removal and cleaning of the sewer lines priced per job.

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

Trustee Conde – YES
Trustee Eydt – YES
Mayor Welch – YES

Trustee Gibson - YES
Trustee Marasco – YES

Lewiston Fire #1 Roster Request

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the request made by Lewiston Fire Co. #1 to approve the resignation of Nicholas Christman and remove from the Village list.

Facilities Use Request – Lewiston Jazz Festival

A motion was made by Trustee Gibson seconded by Trustee Marasco and passed unanimously to approve the request made by the Lewiston Jazz Festival, Inc. for use of Village of Lewiston facilities from August 27-28, 2021. This request is for use of Center Street from 4th to 7th Street, use of the International Peace Garden, DiCamillo Courtyard and Hennepin Park, and waive the open container bottle law for the two days of the festival. If large festivals are not permitted, there are secondary plans in lieu of a street festival to focus on small performances at The Peace Garden, Hennepin Park or Academy Park.

It was noted that The Village of Lewiston municipal parking lot, grassy area and basketball courts will be unavailable for parking for the event this year; due to the construction and development of the park, to preserve the life of the basketball courts and the parking lots need to be left available for use by the Red Brick tenants.

Facilities Use Request – Lewiston Harvest & Hops Festival

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the request made by the Niagara River Region Chamber of Commerce for use of the Village of Lewiston facilities from September 25th, 2021 to September 26th, 2021 for the Lewiston Harvest & Hops Festival. The Chamber is seeking board approval for the closing of Center Street from Eighth to Fourth Street, as well as the closing of Niagara Street from Center to Plain, North Fifth Street from Ridge to Center, South Fifth Street from Center to Plain, and the use of Hennepin Park, The Peace Garden, and use of Academy Park for overflow parking (weather permitting).

Lewiston Fire #1 Roster Request

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the request made by Lewiston Fire Co. #1 to approve the Conditional Membership for Alexandra Jane Gerhardy.

Northern Niagara Regional Trail Network

A motion was made by Trustee Eydt, seconded by Trustee Gibson to adopt the following resolution:

RESOLUTION TO ESTABLISH A WORK GROUP WITH THE TOWNS AND VILLAGES AND CITIES LISTED TO COLLABORATE ON A NORTHERN NIAGARA REGIONAL TRAIL NETWORK

WHEREAS, each community contains significant multi-use trails which combine to form essential connections of the Shoreline, Erie Canal Way, Empire State Trail, and local trail networks and,

WHEREAS, said communities acknowledge the regional significance of the confluences of these greenways and wish to collaborate to maximize taxpayer investments to ensure community strengths and,

NOW THEREFORE BE IT RESOLVED, that the Village of Lewiston actively participate in the working group identified as the Northern Niagara Regional Trail Network Collaborative and to work to fulfill its stated vision.

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

Trustee Conde	YES	Trustee Gibson	YES
Trustee Eydt	YES	Trustee Marasco	YES
Mayor Welch	YES		

DISCUSSION

Lewiston #1 Fire Contract

A motion was made by Trustee Gibson seconded by Trustee Marasco and passed unanimously to schedule a public hearing for Tuesday, February 16, 2021 to approve the Lewiston Fire Co #1 Contract.

REPORTS

Clerk Fundis gave an update that AARP is unable to offer the tax service which was going to be offered in the Red Brick building from February through April due to restrictions related to the Covid-19 Pandemic. There is a number where people can call and be added to a list; they will be contacted if AARP is able to begin providing their services again.

Treasurer Myers gave a report on the remaining 74 water meter heads that are left to be changed. We are working on getting updated contact information for the remaining properties, and letters have been sent out again to the properties at the beginning of January. Myers also mentioned the fee in the code to charge for manual reads; and asked if it should be implemented.

Superintendent Wills gave an update on the placement of the ice boom; the anchors are built and we are waiting on chain to come in.

Law Counsel Leone gave a report on pending litigation.

Engineer Marino gave an update on the recycling truck and DASNY grants, on the resurfacing of Center Street and proposed bike trail.

BOARD REPORTS

Trustee Conde stated that he has been working with Superintendent Wills on the plans for the extension of the Public Works garage. This extension will include an addition on the south side for equipment, the east side for tires, metal, equipment and fabrication, and the top for beautification supplies.

Trustee Eydt made a donation, in the amount of \$350, to the Marilyn Toohey All-Inclusive Playground to be built in honor of his granddaughter, Zoie.

ANNOUNCEMENTS

The Zoning Board of Appeals meeting will be held on Monday, January 26, 2020 at 6:30pm.

The Village Board of Trustees Board work session will be held at 6pm on Monday, February 1, 2021.

The Historic Preservation Commission meeting will be held at 6:00pm, immediately followed by the Planning Board meeting at on Monday, February 8, 2021.

ADJOURN Mayor Welch adjourned the meeting at 7:19pm.

Shannon Fundis, Clerk