

**CALL TO ORDER**

Mayor Welch opened the Village Board meeting with the Pledge of Allegiance at 6:01 PM.

**PRESENT**

Mayor Welch, Trustee Gibson, Trustee Marasco, Trustee Eydt, Trustee Conde, Law Counsel Joseph Leone, Supt. Brolinski, Engineer Michael Marino, Building Inspector, Zoning Officer Candella Police Captain Cain and Clerk Treasurer Salada.

**PRESENTATIONS**

**Christine Sirianni representing The Family & Friends of Downs Syndrome Assoc. of Niagara Inc., presented a \$1,500 donation for the Marilyn Toohey All Inclusive Park.**

**Beverly Hanrahan, and representatives from the Lewiston Service Guild presented a \$1,000 donation for the Marilyn Toohey All Inclusive Park.**

Beverly Hanrahan spoke saying that the Service guild has been in existence for 81 years; we have raised a lot of money and have given to many projects. I would like to thank Brendan McDermott the Recreation Director for coming to our meeting and sharing information on this park project and answering all our questions. When we voted to support this playground there wasn't one "no". Everyone supported this project. The park will be wonderful for families.

**Representatives from the Lewiston Police Explorers, Graeme Litt of E-solutions and Bill Schiavitti of Lewiston Redemption Center presented a donation for the Marilyn Toohey All Inclusive Park in the amount of \$567.70. Graeme Litt of E-Solutions has committed to doubling the donation.**

**Alfonse and Roseanne Muto, were not able to attend the Village Board meeting they had presented Mayor Welch with a \$20,000 donation for the Marilyn Toohey All Inclusive Park earlier in the day on Monday, July 15, 2019. Mayor Welch said I am very grateful.**

**RESIDENTS**

Bruce Sutherland 605 Center Street addressed the Village Board of Trustees saying I am here tonight as a representative for the Messiah Lutheran Church; I am a member of the Messiah's Church and the church counsel has heard a rumor that the end of Onondaga Street is up for sale. If this is so I request that formal notification along with details be given to the Messiah Lutheran Church so if and when they can consider the effects this might have on the adjacent property belonging to the church, such as access to the back property of the church. Also if you would give them the option to consider putting an offer for this property. The church has concerns about this sale because they have considered developing the property to the back of the church maybe placing housing to Onondaga Street. A development on the street end might not be best for the future proposed project the church is considering. The Messiah Lutheran Church may want to bid on the street end property. We would like to go on record "the Lutheran Messiah Church is interested".

Mayor Welch answered Law Council Leone and I have discussed this and the Messiah Church will be notified. We will have to have a public hearing and abandon the street. So we will meet with the church then.

William Bennion of Seneca Street and a member of the Lutheran Church Council at the Lutheran Messiah Church said; I have been a member of this church for fifty years; and this is not the first time a sale of the property next to the church has come up. I have on behalf of the Messiah Lutheran Church maintained that property for some thirty years as if it was our own, mowing and maintaining, even knowing that it belonged to the village. This subject came up eight or nine years ago and the Lutheran Messiah was interested in purchasing this street end then also, this is not new it is an ongoing thing. We are against

building on the church side of that property. The church has not been notified of anything going on with the property at the end of Onondaga Street.

Tom Deal introduced himself as a local business owner in Lewiston and Chairman of the Parks, Recreation, Conservation Commission at the Town of Lewiston. I have been informed that it is the intension of this Village Board to close the Ice Skating Rink at Academy Park this year. Not allowing the Town of Lewiston to use Academy Park to set up the Ice Skating Rink event. On July 2, 2019 I emailed all of the Village Trustees a letter, stating my concerns for our community. We need more things for families and children to do not less. I am strongly concerned about the future of the Ice Rink; I strongly feel that arrangements could be made to continue this event. Until the park can no longer accommodate the rink due to improvements or other.

Tom Deal continued saying I personally see no issue with the ice rink being in Academy Park. I reached out to the Town of Lewiston officials and they told me that the Village Board voted on having the Ice Rink at Academy Park this coming winter 2019 and that it was voted down five to zero. I have to question that because prior to my email Village Board members said they were not against the ice rink. I would like the Ice Rink at Academy Park to be considered; for us to talk about this and have the Village and Town Board members work together to save and continue the Ice Rink. To keep this event for our families and children.

Mayor Welch said we are trying to save the ice rink but the ice rink makes a mess of Academy Park every single year. I have suggested that we move it down to Lewiston Landing. We will be redoing Academy Park; we are moving the Veterans Memorial to the corner of Portage Rd. and Center St. we will be taking down the bleachers and moving the band shell out of the way so we can hold small events in this park. We want to utilize this park right now it is just a mud pit.

Tom Deal asked who is we; everyone, the Village board or is it you.

Mayor Welch said my board can speak to this too.

Mayor Welch said I am not opposed to an ice rink it is everything that surrounds the ice rink that creates such a mess in that park, and we want that park for our residents and every year the park is a mess, it is even a mess while you are running the ice rink event.

Trustee Conde said myself, I like the ice rink at Academy Park, and I do not remember voting on this.

Mayor Welch said we just talked about having the ice rink at Academy Park there was no vote.

Tom Deal said I talked to Town of Lewiston Officials and they said they were told it was voted on and the vote was five to zero against.

Mayor Welch said we did not vote on it we talked about it.

Tom Deal said when we first came up with this idea we researched and looked at every possible location. We found that Academy Park was the only park that made sense. Logistically, mechanically, with its resources, everything fit.

Trustee Gibson said the Town Recreation Department needs know because they need to order parts for the ice rink that takes fifteen weeks to come in they are special order parts and they need to know whether to order them or not.

Tom Deal continued saying the ice rink had the most successful year ever last year; we changed the dates of the rink from Thanksgiving break to January and we had the best year ever. We should continue this event for our families. The Town will have to put the part order in soon so we are ready to set this event up.

Mayor Welch asked how about Kiwanis Park; can you put the ice rink up in Kiwanis Park?

Tom Deal replied at Academy Park everything is already there, the mechanicals, the electric service, and the central location. It is a safe place to put the rink, and when you come into the Village of Lewiston you see a winter wonderland.

Mayor Welch added there are plans to remove the bleachers at Academy Park right after the Peach Festival. After the ice rink event the park is left as a swamp through Memorial Day.

Tom Deal answered the bleachers are nice but we do not need them, they are not necessary for our event. We have also done improvements to the park to help with the mud, a pipe for drainage was placed in the ground.

Trustee Gibson asked are we scraping the idea of having the ice rink at Academy Park? I feel we do not have enough for our kids and families to do now. Why can't the Town of Lewiston use Academy Park one more winter, give them another year and in the mean time we can decide where we are going with the park and if the ice rink can continue.

Tom Deal said the new design for Academy Park hasn't started yet, if it was going to start this fall that is one thing.

Mayor Welch said we are putting a brand new playground for kids, I think that is giving our kids a lot to do. The bleachers may come down this fall that is right there where the ice rink is located.

Trustee Gibson said removing the bleachers does not affect the ice rink, they do not even use the bleachers.

Tom Deal added no we do not use the bleachers they are a little shield from the weather, if we needed bleachers we could bring them in, it is not necessary.

Mayor Welch said if we are taking down the bleachers and moving the band shell it will interfere with ice rink because the removers will have equipment in that area. I do not know when the bleachers will be removed. We will have to talk more about this.

Tom Deal said that is all I ask, that we discuss this further.

## **CORRESPONDENCE**

Mayor Welch said she had placed copies of her letters to Zach Casale, Carmelo Raimondi, and James Jerge complimenting them for their recent developments and renovations to their property in the Village of Lewiston, in the Village Trustees boxes.

## **MINUTES**

Trustee Marasco asked to have a correction made to the July 1, 2019 minutes; she referenced her speech regarding her time as Deputy Mayor and said it should read I have put in a thousand hours not I have put in thousands of hours.

Clerk Treasurer Salada said she would make that change.

## **APPROVAL OF MINUTES**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to approve the June 17, 2019 Village Board minutes and the Organization meeting July 1, 2019 meeting minutes with the change as requested by Trustee Marasco.

## **BILLS**

Trustee Marasco said yes I audited the vouchers presented payment from the Clerk's Office for July 2019; Trustee Marasco gave a brief report on the vouchers being paid. She said we are making progress at Lewiston Landing and we have paid approximately half of the 1.5-million-dollar balance due for the Lewiston Landing project.

**MOTION TO APPROVE JULY 2019 VOUCHERS**

Trustee Marasco made a motion to approve the July 2019 vouchers presented by the Village Clerk’s Office, Trustee Gibson seconded the motion and it passed unanimously to pay the following amounts:

<b>GENERAL FUND</b>	<b>\$700,352.53</b>	<b>CAPITAL FUND</b>	<b>\$432,059.67</b>
<b>TRUST &amp; AGENCY</b>	<b>\$1,337.97</b>		

**REPORTS**

Police, Captain Cain said no report.

Building Inspector Candella said my written report was submitted. Building Inspector Candella said that the footers are going in for the foundations at the Ellicott Development located at N. Eighth and Center Street.

William Brodie Chairman for the Zoning Board of Appeals said we had no June 2019 meeting so I have no report.

William Brodie said I would like to thank the Village and Lewiston Police for the speed sign at 9<sup>th</sup> and Onondaga Street. I also want to offer my driveway anytime for the stop sign at Oxbow and Garden Lane where no one stops.

Historian Russ Piper reported that he has acquired a couple more donations, I placed one here in the Village Board room. I also was asked if there was ever a jail here in the Village of Lewiston in the 1940’s; the answer is “No” there was not.

**LIAISON REPORTS:**

Trustee Marasco reported she and Mayor Welch have spent some time with Beautification and the Garden Club. They both (Beautification & Garden Club) put in time and money to enhance our village. I would just like to express that if you sponsor a garden please continue the sponsorship throughout the life of the garden. Care for the gardens cannot become the Dept. of Public Works responsibility.

Trustee Marasco also reported that she has been notified and contacted the Lewiston Police about a hazard she was made aware of on N. Water Street near the Silo restaurant; between 6:00 PM and 7:00 PM it is a hazard crossing N. Water Street. People with families are having trouble crossing from the parking lot to the restaurant. The Lewiston Police Department was contacted and they said they would check the area during that time.

Mayor Welch reported that she and Engineer Marino have attended the “Ready Commission” meetings; they are hoping for more funding and lower water levels on the Lower Niagara River and Lake Ontario. This group is listening to our needs.

Trustee Marasco said at the recent business group meeting they discussed the parking issues on Center Street. It was said that they would like for businesses to find ways for the owners and the employees to park behind the businesses, allowing for more patron parking. They also thought striping the parking spaces on Center Street might help.

Trustee Eydt gave an update on the Lower Niagara Moose Lodge 584’s Moose’s Mission event at Academy Park Saturday, August 3, 2019 to raise monies for the Marilyn Toohey All Inclusive Park: We have bands lined up for music, we have tents, for those hoping to get revenge we have a dunk tank for local officials, for example Mayor Welch, Angelo Morinello, Assemblyman, Robert Ortt Senator, Under Sheriff Mike Filicetti, and many more.

Trustee Eydt said he has been attending the farmers market selling raffle tickets for the mini bike raffle. I have seen an increase in the attendance at the farmer’s market. Trustee Conde and I are planning on going down to Porter on the Lake for the Summer Event on Saturday, July 20, 2019 to sell more raffle tickets. This Moose’s Mission Event is coming along nicely. There will be bands, a car show, 50/50 and other raffles, balloons, a petting zoo, and much more.

## **OLD BUSINESS**

No old business was brought forward.

## **NEW BUSINESS**

### **LEWISTON FIRE CO. NO 1 MEMBERSHIP**

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the request from Lewiston Fire Company No. 1 to remove the following members from the roster:

**Andrew Gurr    Ariel Mrzygut    Maureen Penzotti    Paul Marotta**

### **RESIGNATION FOR RETIREMENT OF SUPT. BROLINSKI**

A motion was made by Trustee Eydt seconded by Trustee Conde and to accept the letter of resignation from Supt. of Public Works Terry Brolinski, effective August 30, 2019.

Mayor Welch said thank you for all your years of service, you have been terrific.

### **A MOTION TO TABLE APPOINTMENT UNTIL PLANNING CHAIRMAN CAN REVIEW THE APPLICATION**

A motion was made by Trustee Eydt to table the appointment of Savana Bevacqua as alternate for the Planning Commission until Chairman Machelor can review the application and interview the applicant. The motion was seconded by Trustee Gibson and passed unanimously.

Trustee Conde asked; I thought we were going to interview the applicants for our boards and commissions.

### **WINDSONG MOBILE MAMMOGRAPHY BUS**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the request from Niagara County Legislator Rebecca Wydysh to have the Windsong mobile mammography bus present at the Redbrick School House municipal building on October 28, 2019.

Clerk Treasurer Salada said this corresponds with October being Breast Cancer Awareness Month.

Mayor Welch said Legislator, Rebecca Wydysh has done this same type of event for UYNYS for blood drives.

### **MOTION TO ADOPT RESOLUTION GIVING AUTHORIZATION AND APPROPRIATION OF LOCAL MATCH (50%) LEWISTON LANDING PHASE 5**

A motion was made by Trustee Gibson and seconded by Trustee Eydt to approve the request from, Michael Marino of Nussbaumer & Clark to adopt the following resolution to give authorization and appropriation of local match of 50% funding for Lewiston Landing Phase V.

#### ***Authorization and appropriation of Local match (50% local match):***

Whereas, the Village of Lewiston (Village), is seeking a grant for the Lewiston Landing Phase V Project and intends to submit via the New York Consolidated Funding Application (CFA) to the Local Waterfront Revitalization Program (LWRP); and

**WHEREAS**, the Village project cost estimate for the Lewiston Landing Phase V Project is \$460,000; and

**WHEREAS**, the LWRP through NYS Department of State (NYS DOS) is authorized to fund up to \$230,000 of the project cost;

**NOW THEREFORE BE IT RESOLVED**, that the Village authorizes and appropriates a minimum of 50% local match as required by the Local Waterfront Revitalization Grants Program. Under the LWRP, this local match must be at least 50% of total project of \$460,000. The maximum

local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$230,000 subject to receipt of a LWRP grant and available funding. The total estimated maximum grant is \$230,000. The Mayor may increase this local match through the use of in-kind services without further approval from the Village.

Clerk Treasurer Salada polled the Village Board of Trustees receiving the following results:

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

The Resolution passed with five yes votes.

**A MOTION TO ADOPT RESOLUTION GIVING AUTHORIZATION TO SIGN FOR LEWISTON LANDING PHASE 5**

A motion was made by Trustee Gibson and seconded by Trustee Eydt to approve the request from, Michael Marino of Nussbaumer & Clark to adopt the following resolution giving authorization for representative to sign documents for Lewiston Landing Phase V.

***Authorization for representative to sign documents:***

**WHEREAS**, Nussbaumer & Clarke, Inc. is authorized to prepare a grant application on behalf of the Village of Lewiston (Village) via the Consolidated Funding Application (CFA) to the NYSDOS Local Waterfront Revitalization Program for the Lewiston Landing Phase V Project; and

**WHEREAS**, the Mayor is required to sign the grant application on behalf of the Village of Lewiston as well as a Grant Agreement with the NYSDOS and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded;

**NOW THEREFORE BE IT RESOLVED** that the Mayor is authorized to sign a grant application on behalf of the Village via the CFA to the NYSDOS Local Waterfront Revitalization Program for the Lewiston Landing Phase V Project; and

**BE IT FURTHER RESOLVED** that should a LWRP grant be awarded to the Village, the Mayor is authorized to execute a Grant Agreement with the NYSDOS and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village’s obligations under the Local Waterfront Revitalization Program through NYSDOS.

Clerk Treasurer Salada polled the Village board of Trustees receiving the following results:

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

The resolution passed with five “yes” votes.

**A RESOLUTION APPROVING THE SEQR TYPE II FOR LEWISTON LANDING PHASE 5**

A motion was made by Trustee Conde and seconded by Trustee Eydt to approve the request from, Michael Marino of Nussbaumer & Clark to adopt the following resolution approving the SEQR Type II Determination Resolution for Lewiston Landing Phase V.

***SEQR Type II Determination Resolution:***

Whereas, the Village of Lewiston (Village) has reviewed the proposed project for the Lewiston Landing Phase V Project in conjunction with 6 NYCRR 617 commonly known as State Environmental Quality Review (SEQR), for a determination as to the level of required environmental review for the proposed project,

**NOW THEREFORE BE IT RESOLVED** that the Village Board does hereby determine that the proposed action is a Type II action pursuant to 6 NYCRR 617.5 (c)(2) “the replacement, rehabilitation or reconstruction of a structure or facility, in kind, and on the same site has been determined not to have a significant impact on the environment.” as defined under SEQR, and that the Regulations specify that Type II actions are not subject to review.

Clerk Treasurer Salada polled the Village Board of Trustees receiving the following results:

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

The resolution passed with five “yes” votes.

**MOTION TO DENY ANTHONY CARELLA TREE REMOVAL ON VILLAGE RIGHT OF WAY AT 420 SENECA STREET.**

A motion was made by Trustee Gibson the motion was seconded by Trustee Conde and passed unanimously to deny the request from Antony Carella to remove a village tree located on the village right of way in front of his home at 420 Seneca Street.

A discussion was held regarding the request from Anthony Carella of 420 Seneca Street asking to allow him to remove the Black Walnut Tree on the village right of way in front of his home.

It is the policy of the village to not take down live healthy trees.

Supt. Brolinski said I went to this property and found a beautiful healthy Black Walnut tree.

Trustee Eydt said he is requested this removal so he can come straight out of his driveway, his driveway currently narrows toward the road. The home owner wants a double lane to the roadway.

Trustee Eydt said Supt. Brolinski also said that there is a water main where the driveway would be widened.

Supt. Brolinski said yes this is a ten-inch water line that supplies the south side of village. This waterline should not be covered by a driveway.

**REPORTS**

**Clerk Treasurer Salada** reported that the Clerk’s Office personnel have scheduled; and the Dept. of Public Works personnel has installed one hundred forty more new meter transponders since July 1, 2019. We need to schedule four hundred more installations; seven hundred eighty-two transponders have been installed.

Clerk Treasurer Salada also reported that 95.46% of the Village taxes due have been collected.

**Law Counsel Joseph Leone** reported that Mayor Welch and he met regarding a proposal to purchase a village street end, the terms of agreement were discussed; no formal agreement has been offered at this time. If a formal proposal does come in a public hearing is required and necessary. Part of that would be notifying Messiah Lutheran Church. A part of the discussions included that the purchaser would be picking up the closing costs. The proposed offer includes rezoning the property. If this moves forward the project will require Planning Commission approval, Zoning Board approval, and the Village Boards approval.

Law Counsel Leone continued saying I had a telephone conversation with Attorney George Adamson on behalf of the Messiah Lutheran Church’s interest in the selling of this property.

Mayor Welch said the other adjacent owner to the street end is one of the interested purchasers.

Law Counsel Leone added this should bring everyone up to date, once we get a written proposal a SEQR evaluation will have to be done and the adjacent property owners will be notified.

Trustee Marasco asked Law Counsel Leone where the 125 S First Street (Beau Sutor) property and the demolition plans stood.

Mayor Welch said Beau Sutor has put the property at 125 S First Street up for sale.

Law Counsel Leone said Beau Sutor put in the application to have this property at 125 S First St. demolished since it is in a state of disrepair. A court appointed referee has been appointed, I informed them of the demolition permit also that there has been no input from the bank attorneys. We have done what we can to intervene with the bank for Beau Sutor. If he is not going to go forward with the demolition, then we will have to pull the demolition permit.

Mayor Welch said if Beau Sutor is going to continue with not dealing with this property at 125 S First Street then the village should demolish the building and put the fees on the property taxes.

Law Counsel Leone said alias Cimminelli has not returned my calls, a judgement of foreclosure has been issued. The sale of the foreclosure has not been posted.

Trustee Marasco said this goes on and on and there are just excuses, there are three properties on First Street, two on South First and one on North First.

Building Inspector Candella said 130 South First Street will need a variance to rebuild the porch.

Mayor Welch said 130 N Water Street the owners (Finkbeiners) are working with the bank to take that structure down.

Trustee Eydt said I recently took a class on the “zombie properties” the banks are tied up by the laws on zombie homes and properties.

Mayor Welch added the banks do not want the delinquent properties and neither do the owners.

Law Counsel Leone said I have gone through a lot of pledging for the property at 125 S First Street. As of the time I looked at this judgement had been filed. A referee has been appointed.

Trustee Conde asked Mayor Welch if she knew when the structure at 130 N First Street was being demolished.

Mayor Welch said I do not have an answer for that, but the owners are working on that.

Trustee Eydt asked Law Counsel Leone if we made a motion to have the building at 125 S First Street taken down, what would the process be.

Law Counsel Leone said I could file a notice that the village is looking to demolish 125 South First Street. If you want me to pursue that course of action let me know.

Building Inspector Candella said he estimated the cost for demolition and abatement to be around two hundred thousand dollars.

Engineer Marino reported that it appears the water level on the Lower Niagara River has gone down a little bit.

**Supt. Brolinski** reported we will be milling roads on July 17, 2019 and paving the following roads on July 23, 2019;

Mohawk Street from the village line to North Ninth Street, East Lane, West Lane, and Mary Lane. On July 23, 2019 we will have to shut down North Ninth at Mohawk and the 900 block of Mohawk to traffic while we pave. The only people we will have to allow

through will be the residents of Historical Square Apartments. After the Roads we will be paving sidewalks, on North Fifth Street; Onondaga to Mohawk Street.

Supt. Brolinski said this is my last meeting I will be retiring in August 2019; it has been a great adventure. I started on the garbage truck and made my way to the top. I have learned a lot and I am grateful, I do not have to do another budget, or the paperwork.

#### **BOARD REPORTS**

**Trustee Conde** said no report; I would like to congratulate Supt. Brolinski on his upcoming retirement.

**Trustee Gibson** said since this is your last meeting I want to say it has been a pleasure working with you, congratulations on your retirement, go catch fish, shoot deer, and go camping.

**Trustee Eydt** said Supt. Brolinski and I have worked together the last couple of years and it has been fun, I will miss him.

**Trustee Marasco** said the first time I worked with Terry Brolinski was in the International Peace Garden; he never complained, he was always helpful, we worked well together on that project. I wish him well.

**Mayor Welch** said it has been great working with Supt. Brolinski it has been a lot of years that we have worked together. It has been very, very, very busy but he always gets it done. I appreciate everything you have done.

#### **ANNOUNCEMENTS**

Clerk Treasurer Salada read the following announcements aloud.

The next Village Board of Trustees meeting is scheduled for Monday, August 19, 2019 at 6:00 PM.

The next Historic Preservation meeting will be held on Monday July 22, 2019 at 6:00 PM.

The next Zoning Board of Appeals meeting is scheduled for Tuesday, July 23, 2019.

The next Planning Board meeting is scheduled for Monday, August 12, 2019 at 6:30 PM.

#### **ADJOURN**

A motion to adjourn was made by Trustee Eydt seconded by Trustee Conde and passed unanimously at 7:17 PM.

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Amy Salada, Clerk Treasurer