

**PUBLIC HEARING** Mayor Welch called the public hearing to order with the Pledge of Allegiance at 6:02pm; to discuss the request made by Christine Poirier, owner of 427 Plain Street, Lewiston, NY 14092, to have the property rezoned from R-2, Residential, Two Family, Townhouse to R-3, Residential, Multiple Family, Townhouse.

Law Counsel Leone shared information regarding the legal procedures required for the request to have a property re-zoned. The application provided is incomplete; there are many steps that need to be taken before the Village Board of Trustees can approve it. Under General Municipal Law, the application must be submitted to the Niagara County Planning Board, as well as environmental tests and a SEQR are required.

Mayor Welch stated that historically, we have not approved spot zoning of a property. Personally, I am against it. Trustee Conde and Trustee Gibson both agreed they were not in favor of this.

Resident, Christine Poirier, asked why a zoning change was permitted for property owner, Claudia Marasco, for 400 Center Street.

Mayor Welch explained that the rezoning of that property was an extension to an already existing zoning district; it was not a spot zone change in the middle of a different zone. Her property abuts the RB-2 District. Mayor Welch stated that we do not want to waste your time going through the process, when this board is not in favor of it and we have the final say.

Law Counsel Leone added that Marasco went through all the proper steps I mentioned earlier before coming to the Village Board of Trustees for approval.

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to close the public hearing at 6:09pm.

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

**EXCUSED** Deputy Mayor Eydt, Superintendent Wills, Fire Inspector Beebe

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

### **PRESENTATION**

**Graeme Litt of Technical Solutions** gave a presentation for cameras to be installed at the Marilyn Toohey Park/All-Inclusive Playground. Litt stated that he gave an initial proposal to be able to utilize existing equipment to keep costs down, but it would probably be beneficial to come up with a plan to better serve its purpose. Litt added that he is working with the Village and giving everything at an extremely low cost because this was not something that was budgeted for.

Trustee Coppins asked Litt specific questions on the type of cameras being proposed and additional options to provide more clarity and better surveillance coverage. Coppins said I want to make sure we are going in the right direction.

Recreation Director McDermott added that it would be beneficial to have cameras downstairs to help monitoring the area.

Police Chief Previte inquired about the capability of identifying faces on the proposed cameras. Previte stated it does me no good if I cannot acknowledge who the person is.

Litt explained that it is the placement of the camera, which allows for facial recognition; an individual would have to be 30-40 feet within the camera. Facial recognition cameras are usually only put on entrances and exits of buildings.

Mayor Welch added that these cameras are extremely important to have in the playground; we still have money from the sale of the 475 Ridge Street house that could be used towards this.

**Dan Buttery, owner of DB Designs/Black Lab Metal Fab** proposed a Lewiston Landing sign to be placed at the waterfront. Buttery stated that with Covid-19 and the Brickyard Brewing Company fire, I wanted to do something to bring the community together. I proposed this sign and discussed it with Mayor Welch. I chose an old school script to encompass the historic nature of the village, while also making it modern with using metal for the material. The letters would be placed on a pedestal, raised up to look like it is floating. The sign will have two stainless steel trout measuring about five feet, one on either side of the 'Lewiston Landing' letters. The metal will have a copper patina, which I will then apply an aging solution. This will change to a green color to make it look like it has been there awhile, I will then add a clear coating to seal and keep it that color. I am going to donate this piece, which would normally cost anywhere from \$35,000-\$50,000, possibly even more. My family has history here; we have been on Pletcher Road for over 100 years. I also feel this would be a great photo opportunity for visitors; it will be a staple for years to come.

Mayor Welch and Trustee Conde stated they think this sign looks great. Welch added that it will need to be submitted to the Parks & Recreation Board, and the Planning Board before the Village Board of Trustees can grant approval.

#### **CERTIFICATE OF APPRECIATION**

Mayor Welch and the Village Board of Trustees presented Certificate of Appreciation to the following:

-Russ Piper, for his hard work on the Potters Field Monument and ceremony.

-Anthony DiMino, for the relocation and addition to the Academy Park Band Shell, and for having the Buffalo Philharmonic Orchestra there to play for the Bicentennial weekend.

-Lewiston Bicentennial Committee, for a marvelous weekend full of events for our 200<sup>th</sup> year. We appreciate all that you do; it turned out beautiful.

-Beautification & Garden Club, for the replanting of the Femmes en Force Garden, you did a beautiful job.

**RESIDENTS** **Marianne Gitterman** said that the Femmes en Force was a group of women that hosted an antique show in Academy Park. The fence at the Femmes en Force Garden was removed due to the condition that it was in. The Garden Club and Beautification Committee got a quote for \$7,500 for a fence made of a proprietary blend of polyethylene plastic and is reinforced with galvanized steel; each group would put in half of the funds to cover the cost, and we would like to ask permission to use the funds for this purchase. Susan Hofert will also be donating an arbor for the garden in honor of her husband. The Village Board of Trustees were all in approval of this.

**MINUTES** A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to approve the June 21, 2022 Board Meeting minutes and the July 5, 2022 Organizational Meeting minutes.

**BILLS** A motion was made by Trustee Coppins seconded by Trustee Gibson and passed unanimously to approve the July 2022 bills as presented by Treasurer Longwell in the following amounts:

General Fund – \$389,409.28  
Trust & Agency – \$56,643.73  
Capital Fund - \$54,207.66

**REPORTS** **Police Chief Previte** said that they are interviewing for two new full time positions and have asked the Town Board for two additional road positions, as calls have been up ten percent in recent years. I will also be emphasizing to Captain Salada to put extra patrol out to monitor pedestrian traffic. Jaywalking has been excessive and pedestrians are crossing the street wherever they feel.

Mayor Welch added that she has been in contact with National Grid about adding one to two street lights between 8<sup>th</sup> and 9<sup>th</sup> Street on Center, as it is extremely dark in that area.

**Building Inspector Candella** congratulated the Village Board and Clerk's office staff on their work on the all-inclusive playground at Red Brick. Candella made comments on his submitted report.

**Recreation Director McDermott** stated that Family Fun Nights have been very successful. This Friday will be Super Hero Night from 5:30pm-7:30pm.

**Historian Piper** gave an update on the Village of Lewiston Cemetery and the Potter's Field Monument ceremony.

**LIAISON REPORTS** **Trustee Coppins** said that she has met with the Beautification Committee for fall and winter plans. I will be meeting with Jennifer Pauly from the Chamber of Commerce as well as the library and the VFW.

**Trustee Gibson** stated that he has calls out regarding the use of the Village Plateau being utilized by Artpark, but has not heard back from anybody. They did not use the Lewiston Porter Youth Football field for parking this past weekend. I will have answers by the next meeting.

**NEW BUSINESS** **Rezone Request – 472 Plain Street**  
No action was taken for the request made by Christine Poirier, owner of 427 Plain Street, Lewiston, NY 14092, to have the property rezoned from R-2, Residential, Two Family, Townhouse to R-3, Residential, Multiple Family, Townhouse.

**Facilities Use Request for Academy Park – BB's Entertainment of WNY**  
Bianca Falsetti of BB's Entertainment of WNY, Inc. presented plans to host a fundraising event at Academy Park to benefit women's shelters and safe houses. The event would encompass all woman vendors, offering food, crafts, retail, alcohol, yoga, and end the night with BB's Bingo. Falsetti stated, 'I would like to do something good with the large crowds my business draws. I have already had two fundraisers with Totally Buffalo. I would like the event to end around 9:30pm to have enough time to clean and have the park quiet by 11pm.

Village resident, Ronald Craft, expressed his concerns about a BB Bingo event he was told about that was held at Cask and Cow and the adult content that occurred. Craft elaborated that he did not feel this was appropriate for Academy Park.

Falsetti responded stating that she would tailor the bingo portion to suit this specific event. Falsetti added that she reads her crowds, and everyone always has a great time at her events and leaves happy.

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the facilities use application as presented by Bianca Falsetti/BB's Entertainment of WNY, Inc. for use of Academy Park to host a festival/fundraising event to benefit women shelters in the 716 community on Saturday, August 20, 2022 from 3pm to 11pm.

Law Counsel Leone made a request that Falsetti's lawyer submit documentation regarding the laws/guidelines that permit her to host a bingo event.

**Scheduling of Public Hearing to Add Stop Signs**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to schedule a public hearing to install stop signs on Niagara and

Plain Street, South 4<sup>th</sup> Street and Cayuga Street, South 4<sup>th</sup> and Seneca Street, Center and Water Street, on Monday, August 15, 2022 at 6pm.

**Façade Renovation – 335 Center Street**

A motion was made by Trustee Conde seconded by Trustee Coppins and passed unanimously to approve the request for a façade change at 335 Center. The request was approved by the Historic Preservation and Planning Commissions on July 11, 2022.

**Façade Renovation – 453 Center Street**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the request for a façade change at 453 Center. The request was approved by the Historic Preservation and Planning Commissions on July 11, 2022.

**Lewiston Fire Co. #1 Member Resignations**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to accept the resignations submitted from Lewiston Fire Company No. 1 for the following members:

**-Lindsay Gubala**

**-Alexandria Gerhardy**

**Zoning Board of Appeals Member Appointment – Savana Bevacqua**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to approve the appointment of Savana Bevacqua as an alternate member to the Zoning Board of Appeals.

**Fee Schedule Change – Sewer Pipe**

A motion was made by Trustee Conde seconded by Trustee Coppins and passed unanimously to approve the following change to Sec. C-6. - Department of Public Works to the Village Code Fee Schedule:

(1) Installation of corrugated sewer pipe:

a. Up to 15 inches, per foot ..... **\$10.00** → Change to **\$15.00**

b. Over 15 inches... Cost plus

**Budget Amendment Request**

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

Decrease Revenue line: A00-2660-0000 – Sale of Real Property - \$26,990.64

Increase Expense line: A00-1620-4150 – Village Hall Other - \$26,990.64

This is to use the approved funds from the sale of 475 Ridge Street for the fence and completion of the roof and siding for the pavilion.

**Budget Amendment Request**

A motion was made by Trustee Gibson seconded by Trustee Coppins and passed unanimously to approve the following budget amendment request from Treasurer Longwell to pay for supplies for The Potter's Field Monument. The funds for this monument came from donations.

Decrease Revenue line: A00-2192-0000 – Cemetery Services - \$17.89

Increase Expense line: A00-8810-4000 – Cemeteries Contractual - \$17.89

**Resolution – DPW Garage Addition Contract Reassignment**

**RESOLUTION TO REASSIGN DEPARTMENT OF PUBLIC WORKS  
GARAGE ADDITIONS PROJECT CONTRACT 2022-1G**

A motion was made by Trustee Gibson and seconded by Trustee Conde to assign the Department of Public Works Garage Additions Project, Contract 2022-

1G, from Peak Construction Group, LLC to Wargo Enterprises, Inc. in accordance with the terms of the contract.

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

Trustee Gibson – YES                      Trustee Coppins – YES

Trustee Conde – YES                      Mayor Welch - YES

**DISCUSSION** **Resident Ronald Craft**, expressed concerns about the live music being played too loud at Gallo Coal Fire Kitchen, located at 402 Center Street. Craft asked the Village Board to contact the business owner to address this matter.

Mayor Welch stated she would contact Michael Hibbard immediately.

**REPORTS** **Law Counsel Leone** gave an update on 125 South 1<sup>st</sup> Street, stating that the lawsuit is still pending due to waiting on a new judge. Leone also discussed issues with the Department of Public Works not being permitted to enter private property to deal with grass not being cut. Leone suggested that an existing law that allows the DPW to enter to remove rubbish be amended to allow cutting the grass. Leone said he will put together an amendment for the local law.

**Engineer Marino** gave an update on the Department of Public Works Garage addition; stating that the plan is executed and we are ready to mobilize on Monday. We hope to have this wrapped up by the end of this year, or early spring next year.

**BOARD** **Trustee Conde** thanked all donors and volunteers for the Bicentennial events.

#### **REPORTS**

**Trustee Gibson** commented on the retention pond at Ellicott Development not being maintained. Gibson asked to have Zoning Officer Candella contact them to address the issue.

**Mayor Welch** thanked all the volunteers and donors for the Bicentennial events; the Village of Lewiston has never looked better. There is still signage and traffic lights to be worked on, but it is coming along.

**Trustee Coppins** inquired about the status of flag style signs and sandwich board signs throughout the village.

Mayor Welch stated that NYS is still considered in a state of emergency due to the Covid-19 Pandemic, so for now we will continue to allow these signs to help the businesses. We will revisit this again next month.

#### **ANNOUNCEMENTS**

The Zoning Meeting for July has been canceled, no business has been submitted.

The Historic Preservation Commission meeting is at 6pm, immediately followed by the Planning Board meeting on Monday, August 8, 2022.

The Village Board of Trustees meeting is at 6pm on Monday, August 15, 2022.

**ADJOURN** A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to adjourn the meeting at 7:46pm.

---

Shannon Fundis, Clerk