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

**EXCUSED** Building Inspector/Zoning Officer Candella

**CALL TO** Mayor Welch called the meeting to order at 6:01pm.

**ORDER**

**PRESENTATION**

**Municipal Outreach**

A presentation was given by Susan Langdon, Benjamin Bidell and Frank Campbell, representing the Niagara County Department of Economic Development.

Langdon and Bidell presented on Covid-10 business assistance, site selection assistance, Brownfields assistance to municipalities and potential grant opportunities, Empower Niagara, business community enhancement and tax abatement, grant and loan programs.

Campbell presented on sport fishing and outdoor promotions, mentioning that this is a $30,500,000 industry for Niagara County. Campbell discussed the promotions for fishing derbies, outdoor conferences, media events; all directed to bringing people to the area.

**RESIDENTS Meredith Deluca, of 220 Onondaga Street,** addressed her concerns on the noise issue occurring from weddings and events at The Barton Mansion. Deluca stated that her kids could not sleep due to the noise. I have contacted the police to file a complaint. This private venue should have to follow the same rules as festivals and concerts, which have a positive economic impact on our community.

Mayor Welch agreed with Deluca and stated that the village will contact the person that books the events to address the issue immediately.

**Ronald Craft, of 105 N. 4th Street,** commented that the residents are at a disadvantage with the noise issue. The music does not have to be played that loud. The village is going to lose money on residents.

**Jamie Symmonds, of 625 Center Street,** spoke on behalf of, and as the organizer of the Lewiston Artisan Market. Symmonds began with reading a mission statement from the market’s social media page:

“Our mission is to bring together a group of talented farmers and artisans who offer a diversified mix of quality products to our shoppers.”

Symmonds continued with her issues she has experienced over the years while running the market. Symmonds discussed her concerns with safety due to other events being approved at Academy Park during the market’s hours of operation, which has produced vehicles driving in between rows of vendors and endangering the welfare of people, being called names and sworn at, as well as having their personal safety threatened. I have also had participants in the market since inception in 2018 who were told they could not participate and lost business. If you do not want us at here let us know.

Mayor Welch responded that she begged to differ with Symmonds; every time you have come to the board, we have given you permission to do what you have asked. We love having the farmers market. You asked for a reduction in your fee, which we granted. You asked for signs and designated parking, which we granted. As far as whatever you have in the park and people abusing you in any way, is certainly not the board’s fault.

Symmonds passed out petitions for designated parking spots, and stated she had yet to receive any official documentation, or has she been given signs or cones, that she was told Superintendent Wills would provide.

Mayor Welch stated that we have accommodated you, and don’t know where this is coming from. Welch asked Clerk Fundis to write a letter to Symmonds to document the approval of the parking that was granted at the May 17, 2021 Board of Trustees meeting.

Symmonds brought up that she was denied when asked to keep a 4x7 portable structure in the park. The structure was left after the close of the market for an hour because [we] had Covid-19 vaccination appointments to get to, and was called right away asking us to remove it. Symmonds also commented on how the Lewiston Arts Council was permitted to have a stage in Academy Park.

Mayor Welch replied, stating that you were told not to leave the structure in the park; you knew in advance you were not allowed to keep it there. When you did move it, you it was moved from the park to a business lot parking lot. That was total disrespect for this board, after you were told not to leave it. We have said we want nothing left in the park because of the construction going on and the relocation of the band shell. Responding to the comment about the stage left in the park, Welch stated that yes, a temporary stage will be permitted in the park for the Lewiston Arts Council to use until the band shell is finished.

Trustee Conde commented that if somebody was to get hurt, the Village of Lewiston would be held responsible.

Symmonds stated that the temporary structure holds literature for the community, and is an information center. Welch responded that you were told you can utilize the storage available in the park and you turned that down. You were also told you could use the gazebo.

Symmonds apologized for leaving the structure in the park, and added that she hopes the village will jump as quickly if somebody else leaves something in the park and/or market area.

A vendor of the Lewiston Artisan Market spoke up, stating that a prior vendor from the start of the market was told they were unable to participate and hold fitness classes in the market.

Welch responded to the vendor, stating that a facilities contract was issued to someone else holding yoga classes in the park at the same time. I was not aware that she did yoga in the park; I told her she cannot hold classes at the same time as the other fitness instructor. Also, this is not an artisan market vendor; if she would like to hold fitness classes in the park, she will have to fill out a facilities contract to use the park like everyone else, and she should be providing you with with proper insurance documents. Welch added that every request Symmonds has made has been granted with the exception of the portable shed/structure to be left in the park.

A discussion ensued regarding the space utilized for the market. Symmonds mentioned that there has been discussion to move the farmers market to a new location in the future.

Trustee Gibson inquired about the issue with a prior artisan market vendor being told they could not be there.

Welch responded saying that she was told she could not be there at the same time, and asked if a different time or day would work.

Niagara County Legislator Chairwoman and village resident, Becky Wydysh, said ‘It’s disappointing to hear that there’s so much consternation between the village and the market organizers, because it is a fantastic opportunity for our businesses. They can come in and show their goods. Especially right now, we’re all trying to build back from the pandemic and get our businesses up and running again. It gives them another outlet to show what they have and to really showcase some of their unique products. I really hope that you are able to work together. The fact that you’re talking about moving the market is very disappointing. I certainly have a lot of contact with local residents with what I do, so I hear from everybody. And I’ve never heard a bad thing about the market, people love it. The residents, the businesses, people that come in from out of the area who then frequent our restaurants and all of those businesses afterwards. I hope that there can be some communication and you guys are able to work things out.”

Welch responded stating that we love the market; we promote and want it here. That is why I was very surprised that she was not happy with us, because I thought we had moved in that direction to help her keep the market and everybody up there. Just because there is a shed that cannot be left there, does not mean we do not want the market. Welch added that the village would love to see the market expand, and discussed the need for improved communication.

Wydysh responded stating that it sounds like the village is trying to cooperate and I hope that we are not watching the market move away.

Trustee Marasco spoke up, stating that we are here to help everyone; we need to work together.

Resident, David Giusiana, addressed issues that have occurred in past years with other organizations not being considerate, and asked that all events adhere to the same rules, and the village enforce what has been granted.

A discussion ensued regarding the conflict with two fitness instructors holding classes at the same time during the Artisan Market. Trustee Marasco and Trustee Conde both suggested that if both want to hold classes at the same time to let them do it.

A resident spoke up; stating that overlapping two classes would not be the best idea, because people may not know which place to go. The resident asked how yoga classes falls in line with the market’s mission statement that was read at the beginning of the meeting.

Mayor Welch stated that she does not believe yoga or fitness falls in line with a farmer’s market, and that a facilities contract would need to be submitted, along with approval from the board of trustees for this to be permitted.

A discussion ensued regarding proper insurance requirements for activities and events held in the park. Treasurer Myers and Clerk Fundis gave examples of other events in the village, and that each vendor provides their own insurance, they are not solely carried under the event holder’s policy. Trustee Conde commented that this is important for the market organizers safety.

**MINUTES** A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the May 17, 2021 Village Board Meeting and May 27, 2021 End of Year Meeting minutes.

**BILLS** A motion was made by Trustee Gibson seconded by Trustee Marasco and passed unanimously to approve the June 2021 bills as presented by Treasurer Myers in the following amounts:

**General Fund: $534,020.90**

**Trust & Agency: $5,419.12**

**REPORTS** **Historian Piper** gave an update on his work in the Village of Lewiston Cemetery.

**Recreation Director McDermott** gave a report on the improvements made to the Village website to make it more user friendly. McDermott discussed the summer recreation schedule, youth basketball programs, his work with the Town of Lewiston, the Village of Youngstown, local fishing captains and the DEC to provide fishing safety courses for youth/families in the area. Fishing poles and small tackle boxes will be provided to registrants.

**LIAISON Trustee Marasco** mentioned the Niagara River Region Chamber of Commerce’s **REPORTS** plans to have live jazz music being played in some restaurants, where donations can be made to help raise money for the 2022 Jazz Festival.

**NEW Lewiston Fire Co. #1 Resignation**

**BUSINESS** A motion was made Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the request made by Lewiston Fire Co. #1 to accept the resignations of Jonah Jueckstock and Sarah Macfarlane and remove from the Village list.

**Schedule Public Hearing – Section 2-87 – Residency Requirements**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to schedule a public hearing on Monday, July 19, 2021 at 6pm to amend Section 2-87 – Residency Requirements, of the Village Code Book; to include, in addition to the Village of Lewiston, the Town of Lewiston and Niagara County in approved residency requirements for full-time and part-time employees.

**Schedule Public Hearing – LWRP Amendment Adoption**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to schedule a public hearing on Monday, July 19, 2021 at 6pm to approve the Village of Lewiston Local Waterfront Revitalization Program Amendment.

**Schedule Public Hearing – Local Law #5-2021 - Juneteenth**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed with four yes votes to schedule a public hearing to adopt Local Law #5-2021, Section 2-75-1; Holidays of the Village Code; to include Juneteenth in the scheduled holidays. Trustee Eydt voted no.

**490 Center Street – Casa Antica Patio Enclosure Design Plans**

A motion was made by Trustee Marasco seconded by Trustee Eydt and passed unanimously to approve the design plans for a permanent enclosure of 1,138 square foot of the existing patio for Casa Antica, located at 490 Center Street. The plans were approved by the Historic Preservation Commission and Planning Commission on Monday, 6/14/2021, stipulating that the canopy be reduced, not to obstruct the bay window, that an enclosure be constructed for concealment of the dumpster, and that if the property is two separate parcels, it will need to be converted to one parcel. The Village Board of Trustees added a contingency to the approval that a new grease trap be installed meeting the specifications set by the Department of Public Works and the Village Code.

**NRR Chamber of Commerce Request – Slow Roll Biking Event**

A motion was made by Marasco seconded by Trustee Conde and passed unanimously to approve the request made by the Niagara River Region Chamber of Commerce for use of Academy Park on Saturday, July 31, 2021 from approximately 11am – 5pm for a congregating place for participants in the “Slow Roll” biking event.

**Executive Session**

A motion was made by Trustee Eydt seconded by Trustee Conde and Trustee Gibson in unison and passed unanimously to enter into executive session immediately following this meeting regarding personnel, litigation and real property.

**Academy Park Comfort Station Roof Replacement**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the restroom roof replacement at Academy Park when the final quotes come in, stipulating that Superintendent Wills will choose the most efficient quote.

**DISCUSSION**

**Lewiston Arts Council – Request to Waive Facility Use Fees**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the request made by the Lewiston Arts Council to waive the facilities use fees for the 2021 event season.

**Lewiston Porter Youth Football Program – use of Richard F. Soluri Park**

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the facilities use request from Lewiston Porter Youth Football for use of Richard F. Soluri Park to hold practices for one year, contingent upon providing the proper insurance, and adding the Village of Lewiston as not liable on the program’s waiver.

**REPORTS** **Superintendent Wills** thanked Chief Previte for his assistance with the street closings for the Lewiston Garden Fest.

**Engineer Marino** gave an update on the status for contracts with DASNY and other projects he is working to advance.

**BOARD Mayor Welch** commented on how wonderful the Lewiston Garden Fest was, and

**REPORTS** that it was a very large turnout.

**ANNOUNCEMENTS**

The Clerk’s office and DPW will be closed on Monday, July 5, 2021 in observance of Independence Day.

The Board of Trustees Organizational Meeting will be held on Tuesday, July 6, 2021 at 6:00pm.

The Historic Preservation Commission meeting will be held at 6:00pm, immediately followed by the Planning Board meeting on Monday, July 12, 2021.

The Village Board of Trustees meeting will be held at 6:00pm on July 19, 2021.

The Zoning Board of Appeals meeting will be held at 6:30pm on Tuesday, July 27, 2021.

**ADJOURN** A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to adjourn the meeting at 8:26pm.

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Shannon Fundis, Clerk

**EXECUTIVE SESSION**

**PRESENT** Mayor Welch, Trustee Conde, Trustee Eydt, Trustee Gibson, Trustee Marasco,

Law Counsel Leone, Clerk Fundis, Treasurer Myers, Deputy Clerk Vazquez, Superintendent Wills

**CALL TO** Mayor Welch opened the Executive Session at 8:34pm.

**ORDER**

**ADJOURN** A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to adjourn the Executive Session at 9:17pm.

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Shannon Fundis, Clerk

**CALL TO** Mayor Welch opened the public meeting up at 9:17pm.

**ORDER**

**PRESENT** Mayor Welch, Trustee Conde, Trustee Eydt, Trustee Gibson, Trustee Marasco,

Law Counsel Leone, Clerk Fundis, Treasurer Myers, Deputy Clerk Vazquez, Superintendent Wills

**NEW Water Bill Dispute – GMA Properties**

**BUSINESS** A motion was made by Trustee Gibson seconded by Trustee Marasco and passed unanimously to accept the negotiated amount of 25% payment of the original contested water and sewer bill for the properties: 725, 757, 763, and 777 – 2A, of Cayuga Street. This negotiated rate is a onetime courtesy being offered to the property owner, and must be paid in full on the July 2021 quarterly billing. The property owners are contesting these Water/Sewer Bills.

**SESAC** After a brief discussion regarding the ongoing payment issue with Sesac, it was decided that Law Counsel Leone would contact Sesac to request that all penalties be removed and the Village of Lewiston would agree to pay the bill.

**ADJOURN** A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to adjourn the meeting at 9:20pm.

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Shannon Fundis, Clerk