

**PRESENT**

Mayor Welch, Trustee Gibson, Trustee Marasco, Trustee Eydt, Trustee Conde, Law Counsel Leone, Superintendent Wills, Building Inspector/Zoning Officer Candella, Police Captain Cain, Clerk Treasurer Salada, Deputy Clerk Fundis, Engineer Marino

**CALL TO ORDER**

Mayor Welch opened the meeting with the Pledge of Allegiance at 6:01pm.

**MINUTES**

A motion was made by Trustee Eydt and seconded in unison by Trustee Gibson and Trustee Conde and passed unanimously to approve the October 21st, 2019 Village Board Meeting minutes and November 4th, 2019 Village Board Work Session minutes.

**BILLS**

The bills were audited by Trustee Marasco, who made a motion, which was seconded by Trustee Eydt and passed unanimously to pay the November 2019 bills as presented by the Village Clerk's office in the following amounts:

**GENERAL FUND: \$251,892.79**

**TRUST & AGENCY: \$4,276.48**

**REPORTS**

**Building Inspector Candella** addressed a complaint regarding Ellicott Development and the cut in the road on Onondaga St, stating that they will soon be paving this area. The cuts are being made to the roadway, then they will start paving, but currently these areas are filled with stone for now to make it more comfortable.

Superintendent Wills said that he observed them working on the cut in the road on 8<sup>th</sup> Street, and discussed the missing concrete from the sidewalk on Center Street in front of the development.

Building Inspector Candella asked Superintendent Wills if the stone in these two areas are at grade level.

Superintendent Wills said that the sidewalk filled with stone on Center Street at the top of the development is at grade level for the upcoming Christmas Walk.

Mayor Welch addressed that we will have a lot of people here for the Christmas Walk, and that we need to make sure we keep an eye on this.

**Zoning Officer Candella** stated he worked with Trustee Conde on the property at Oneida St. & Kerr St. (**300 Kerr Street**). Nick and I went together, and the resident has been cleaning up and filling the ruts in the yard.

**Recreation Director McDermott** stated that the winter and spring recreation schedules are now on the Village of Lewiston website, as well as the Spring Fling event on May 3<sup>rd</sup>, 2020. We had our annual Halloween party and Wild Turkey Hunt, which were both well attended. I have also met with Gary Hall who is on board with continuing our existing soccer and indoor tennis programs at WTS, and is open to other ideas as well. Our Tree Lighting Ceremony will be on Friday, December 6<sup>th</sup>, 2019 at 7pm at the Hennepin Park Gazebo, along with other festivities. We have a busy December scheduled.

**Historian Russ Piper** mentioned that benefactors have graciously donated two more designated items, one being from former Mayor Collesano.

Russ Piper stated that he has been approached by the Boy Scouts in regards to The Village Cemetery at 5<sup>th</sup> Street & Cayuga Street; some of the Boy Scouts are aging out and will be moving onto their Eagle Scout Projects. They are able to work on the cemetery, they have completely restored a park in Youngstown. My issue with the Village Cemetery is the left stone wall and the east stone is crumbling. There is a brush pile behind there and several historical markers are buried underneath.

Trustee Eydt stated that personally he didn't have a problem with this, but for formality, to please have the Boy Scouts submit something to the board. Trustee Eydt asked Historian Russ Piper if the Boy Scouts were getting back to him on the possible interest in the restoration of the cemetery.

Historian Russ Piper stated that he was told the board should reach out to them, and that we would have them available to work on this for two years.

A discussion ensued on the condition of the grave markers and plans for future restoration and possible grant options now that the cemetery has been historically designated.

Clerk Treasurer Salada mentioned that the Eagle Scout will have to come up with a whole plan to submit to us.

Trustee Marasco suggested getting a group of adult volunteers to start a community project for the Village cemetery.

Mayor Welch said that this would be a great community project, and suggested to any residents at the meeting to check out the Historical Museum at the end of the hall. It is very interesting to see what Russ Piper has on the history of this village.

## **LIAISON REPORTS**

### **Chamber of Commerce**

Trustee Marasco mentioned that she and Trustee Eydt were at the meeting with the Chamber of Commerce, and the main focus currently is for the upcoming fishing expo in January to be a really big deal in the area. The communities will be joining forces to make a statement. Throughout the nation and the world this area is known for our fishing industry, but due to the condition of the docks, they may think they are not able to fish at this time. We would like to get the message out in a professional way so people realize they can come here to fish. Our fishing industry has taken a very large hit.

Trustee Eydt mentioned that the meeting mainly focused on the fishing industry, as well as grants, waterfronts, and REDI Commission. Jennifer Pauly was there, and is getting involved with John Percy in regards to gaining more exposure to the north end of the county, specifically Wilson and Olcott.

Mayor Welch stated that this group got together after meeting with the REDI Commission to address the extensive damage to the waterfronts. All the community leaders have come together to make people aware that the fishing industry and local businesses are open.

### **Veteran's Memorial Service**

Trustee Marasco addressed that if you did not have time to attend the Veteran's Day Memorial Service at the Veteran's Memorial Monument at Academy Park to please go visit it to honor those who have served and who we have lost; it is part of our history. We are grateful that Josh Maloni mentioned in the Lewiston Sentinel that he has the recording of the ceremony available if anybody is interested in seeing it.

## **OLD BUSINESS**

### **Properties – 1<sup>st</sup> Street**

**125 S. 1<sup>st</sup> Street** - Trustee Marasco mentioned that we need to keep on task for the properties on S 1<sup>st</sup>, and asked Law Counsel Leone if he had heard back from the lawyer in regards to the zoning violation letter that was sent for 125 S. 1<sup>st</sup> Street.

Law Counsel responded stating that he had not heard back from the property owner's lawyer.

Zoning Officer Candella said he did reach out to the property owner, who is currently on vacation.

**140 N. 1<sup>st</sup> Street** - Trustee Marasco addressed the property at 140 N. 1st Street, stating that it is in shambles and that we should take these people to small claims court.

Mayor Welch mentioned that the property owner was here to begin work, and said he would be back at the end of November to continue work on the property.

Trustee Marasco stated she didn't think the property owner had applied for a building permit, and that it has been in this condition for years.

Zoning Officer Candella replied saying no, he will apply for the permit when he comes into the office.

## **NEW BUSINESS**

### **Lewiston Fire Co. #1 Request – Conditional Memberships**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve The Lewiston Fire Co. #1 request for Conditional Memberships for the following:

**Chris C. Copland**

**David Michael Defazio**

**Andrew James Fultz**

### **Lewiston Fire Co. #1 Request – Membership Removal**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve The Lewiston Fire Co. #1 request to remove the following member:

**Hanna Mergi**

### **Lewiston Recreation – Holiday Tree Lighting**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the request by Brendan McDermott to allow the Village of Lewiston Recreation Department to use Hennepin Park on Friday, December 6, 2019 from 7:00-8:30pm to hold the annual "Lighting of the Holiday Tree".

### **Lewiston Recreation – Hiring of Anita Harless for Musical Entertainment**

A motion to approve the request by Brendan McDermott to allow the Village of Lewiston Recreation Department to hire Anita Harless from the musical group "Another Thyme" as musical entertainment for the annual Lighting of the Tree at Hennepin Park on Friday, December 6, 2019 at 7:00PM, in the amount of \$75.00 from account TA0-0094-0000 (Recreation Special).

### **Niagara Hospice Mighty Niagara Half Marathon**

A motion to approve the request by Niagara Hospice Mighty Niagara Half Marathon fundraiser on Saturday, September 19<sup>th</sup>, 2020. From 9:15am to 10:15am. Updated insurance for this event will be issued and provided once the existing policy expires.

## **DISCUSSION**

### **Village Code snow removal policy Sec. 17-72**

Mayor Welch stated that we wanted to let the people know that there is a village code stipulation that business owners and residents are responsible for snow removal from the sidewalks in front of their business and/or property.

Trustee Eydt mentioned that he wanted the snow removal added to the discussion due to some recent complaints about sidewalks not being shoveled. Our Department of Public Works does a great job and some people are taking this for granted. It is not mandatory that the Department of Public Works is responsible to clean sidewalks. I wanted to bring this up to remind people that even though the Department of Public Works has been removing snow from the sidewalks, sometimes there is a malfunction with a machine, and that is exactly what happened during this last snow storm. It set them about an hour and a half behind.

Mayor Welch stated that in addition, she has asked business owners to keep everything swept outside their businesses, and to try to make sure any debris is picked up. Please place ice pellets down so people don't slip and fall.

Superintendent Wills added that his priority are the roads. The roads need to be open for safety vehicles. I can't pull a truck off the road because we are short handed to remove snow from sidewalks.

Trustee Conde commented that Superintendent Wills and the Public Works employees do a great job; I have received a lot of compliments about you and your department.

### **Christmas Lights**

There was a brief discussion on the Christmas lights being up; Superintendent Wills said they will be lit on Monday, December 2<sup>nd</sup>, 2019.

### **National Grid**

There was a brief discussion in regards to the work that has been done by National Grid; lines being repaired and fuses being replaced.

Mayor Welch asked if National Grid started work on the new LED lighting.

Superintendent Wills responded that he has not seen them in the area.

### **Jet Boat**

Trustee Marasco addressed her concern that the Jet Boats are still running, and that their lease ended on October 31<sup>st</sup>, 2019. I don't feel they should be in the water making money. If they do not have a lease, why are we allowing this to happen?

Mayor Welch said we need to check on the terms of the lease.

Law Counsel Leone added that the lease states 'on or about October 31<sup>st</sup>, weather permitting'.

Trustee Conde asked if we could tighten up the lease.

Law Counsel Leone said he was unsure, due to it being a very lengthy lease.

Mayor Welch added that they are still required to pay a portion to us.

## **REPORTS:**

**Clerk Treasurer Salada** welcomed the new Deputy Clerk, Donna Vazquez. Also I just wanted to report on the progress for the new water meter heads; a littler under 300 have not been changed yet, so we will be estimating the bills high to get their attention so the Department of Public Works can get in the residence to replace it. I think we may need to eventually open up an evening or weekend to schedule appointments for this.

Mayor Welch added that it is in the residents best interest to get this replaced as the meter could be running poorly.

**Law Counsel Leone** stated Brendan McDermott did request an opinion concerning an open item in regards to Boy Scouts in the Red Brick Gym and if it would need to be presented to and approved by the Village Board; it really doesn't have to, it is recreation and it is a time that nobody else would be using it. The only suggestion would be to acquire insurance.

Law Counsel Leone brought up the LJC lawsuit Mayor Welch inquired about; I did reach out to the contact person, and asked if the Village would be a part of it; she sort of dismissed me and said we would have to talk to the counselors and attorneys. I asked for the phone number so I could reach out, she responding by saying no they will call you.

Mayor Welch mentioned that we would be glad to support the governor to back the IJC, but our involvement would not be monetary. Hopefully this will call attention enough to rescind the 2014 agreement with the IJC so the issue with the water levels does not happen again. It is estimated that in May 2020 the water levels may rise to be at 249ft. and the top of our sheet pile wall is at 252.5ft.

Law Counsel Leone added that if we did join, we would intervene as a party but not necessarily any financial involvement.

Trustee Eydt added that this was part of the discussion last week at the meeting in Youngstown; the IJC cannot be sued, they are untouchable. However the Governor is going after the people who manage the waterfall. There was a big discussion amongst the neighboring areas, including Wilson, Olcott, Newfane, Porter and Youngstown. None of them are going to back the Governor, only because we have little pockets and if he sues them and loses, the judge may make those involved pay legal fees.

**Engineer Marino** stated that he attended a meeting in Somerset to discuss the REDI Commission and funds, and met the agency that will be administering the funds. I will be going to Albany on Wednesday to meet with the commission, and hopefully will get more information on how the funds will make their way from Albany to here.

Mayor Welch commended Engineer Marino, stating that he has been with me since day one working on the REDI commission. He has worked very hard putting everything together and we wouldn't have gotten anything without Mike; thank you so much.

There was a brief discussion about the possibility of the concrete being poured at Lewiston Landing and Mayor Welch inviting Governor Cuomo to a ribbon cutting ceremony for the completion of this project, set tentatively for December 5<sup>th</sup>, 2019.

**Superintendent Wills** stated that all the Christmas lights are up, and they will be working on picking up the leaves as soon as the snow melts.

## **BOARD REPORTS:**

**Trustee Conde** complimented Building Inspector Candella and thanked him for his support.

**Trustee Gibson** wished everyone a Happy Thanksgiving next week. Tom Deal reached out to me in regards to all the damage to the ice rink tent and that they created some ruts at Academy Park. They ensured me they would take care of this, as soon as possible weather permitting. He did point out there are some ruts around the Veterans Memorial as well, that were not made by them.

Mayor Welch stated that she was made aware of this already.

**Trustee Marasco** thanked the police for the blitz in October on all the main cross walks on Center Street, issuing citations for people that were driving through walkways while pedestrians were crossing. They also handed out gift certificates to those that honored the law and stopped for pedestrians.

Chief Cain stated that they did this for three nights, and had 10-12 gift cards per night from Orange Cat, Spicy Pickle and The Village Bake Shoppe; the officers used money from the PBA to give to people that stopped for pedestrians.

Trustee Marasco said it was well appreciated from the residents.

Trustee Marasco mentioned that the Chamber of Commerce wants us to meet in regards to the village's facility contract; they would like all the people that do facility contracts to work with the board on improving the contract.

Trustee Marasco made mention of a news article in a newsletter put out by Hart Love and Soul Community Missions on the Village of Lewiston; thanking us for allowing them to collect in the village during the Tuesday night Artpark events.

**Mayor Welch** wanted to thank her fellow board members for stepping up and attending all meetings while she was out of the office for a brief period.

## **XI. ANNOUNCEMENTS**

The Zoning Board of Appeals has no business, there will be no meeting held on Tuesday, November 26<sup>th</sup>, 2019.

The next Village Board of Trustees Work Session is scheduled for Monday, December 2<sup>nd</sup>, 2019 at 6:00pm.

The next Historic Preservation Commission meeting will be held on Monday, December 9<sup>th</sup>, 2019 at 6:00pm.

The next Planning Board meeting is scheduled for Monday, December 9<sup>th</sup>, 2019 at 6:30pm.

The Village Clerks office and the Dept. of Public Works will be closed on Thursday, November 28<sup>th</sup> & 29<sup>th</sup>, 2019 in honor of Thanksgiving. Garbage pickup for the dates listed will move to the following:

-Thursday, November 28<sup>th</sup> normal pick up will be on Tuesday, November 26<sup>th</sup>.

-Friday, November 29<sup>th</sup> normal pick up will be on Wednesday, November 27<sup>th</sup>.

As per Village Code Section 11-38, there is no parking permitted on village streets December 1<sup>st</sup>, 2019 – April 1<sup>st</sup>, 2020 from 2:00am – 6:00am.

## **XII. ADJOURN**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to adjourn the village board meeting at 6:46pm.

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Shannon Fundis  
Deputy Clerk