

**PRESENT**

Mayor Welch, Trustee Gibson, Trustee Marasco, Trustee Eydt, Trustee Conde, Law Counsel Leone, Zoning Officer/Building Inspector Candella, Police Chief Previte, Clerk Treasurer Salada, Deputy Clerk Fundis, Deputy Treasurer Myers, Fire Inspector Beebe

**EXCUSED**

Superintendent Wills, Michael Marino Village Engineer from Nussbaumer & Clark

**CALL TO ORDER**

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

**RESIDENTS**

**ED WALKER** gave a presentation on the 2020 Census, and stressed the importance of everyone completing this census, as it determines and shapes our future lives. A timeline of when information would be sent out and when the census forms are due was discussed, as well as the job opportunities that will be available for the 2020 Census from April through July.

**KATHY HAROLD** addressed the Village Board to speak about the grand stand in Academy Park being demolished. Kathy spoke on the historical value the grand stand holds within the village. Kathy also stated that with this being a historically designated site, she felt it necessary to have an archeology survey done on the property before any digging ensued.

Kathy Harold closed stating that she feels the grandstand should be kept, and that the village has placed added protection for safety and have done a good job to maintain it.

Mayor Welch stated that our insurance company has put us on notice, that the grand stand is an insurance liability. Harold Hibbard has also graciously offered to take these down at no cost. These were coming down last week, however we are holding off until spring because of the new monument that was just built.

**MINUTES**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the September 16<sup>th</sup>, 2019 Village Board of Trustees Meeting minutes and October 7<sup>th</sup>, 2019 Village Board Work Session minutes.

**BILLS**

Trustee Gibson stated that the bills were in order as usual, and made a motion seconded by Trustee Eydt and passed unanimously to pay the October 2019 bills as presented by the Village Clerk's office in the following amounts:

**GENERAL FUND: \$183,750.80**

**CAPITAL FUND: \$233,522.41**

**TRUST & AGENCY: \$5,280.42**

**REPORTS**

**Police Chief Previte** stated that there would soon be targeted enforcement in the village over the next couple of weeks, and tentatively the Town of Lewiston Board has accepted the budget proposal for the traffic car.

Trustee Marasco thanked Chief Previte for addressing her walkability phone call and for moving the mobile unit sign up between 8<sup>th</sup> Street & 9<sup>th</sup> Street; Trustee Marasco stressed that if you see somebody in a cross walk you must stop. We say that we are a walkable community – please honor that.

**Zoning Officer/Building Inspector Candella** stated that we have been making strides in zoning; the property owner at 9<sup>th</sup> Street & Oneida took down the bushes, they had somebody professional come in to help and you can actually see the house now. Letters have been sent out for other issues.

**West Lane** Trustee Marasco asked if the vacant property at West Lane was being worked on now that the permits have been picked up.

Zoning Officer/Building Inspector Candella said yes, they are taking down the siding and putting new siding up because it wasn't put up properly.

**140 North 1<sup>st</sup> Street** Mayor Welch brought up that the property owner at 140 North 1<sup>st</sup> Street will be returning at the end of November to redo the house and probably rent it, so we will see some improvement to the house.

**125 South 1<sup>st</sup> Street** Mayor Welch stated that notices were sent to the attorney.

Law Counsel Leone stated he received a copy of the notice, but has not heard from the property owner or their attorney.

Trustee Marasco addressed that we need to keep after those two properties.

**300 Kerr Street** Trustee Conde brought up the car activity at the home at the corner of Kerr and Oneida Street, saying there are different cars in the back yard and car parts everywhere; they are running a junk yard out of there.

**Niagara Street** Mayor Welch asked if Zoning Officer/Building Inspector Candella was keeping up on this property.

Zoning Officer/Building Inspector Candella said yes, that the unregistered vehicle is now registered, and that he is going to check to make sure the license plates are on the car, and that the pool and debris have been cleaned up in the backyard.

**Brendan McDermott** started with thanking Ed Walker for his presentation on the 2020 Census. In terms of recreation, our annual Halloween Party will be held on Thursday, October 31<sup>st</sup> from 6pm-8pm in the gymnasium. Thank you Chief for providing security, this will be a safe and fun event for our families. We are in the middle of many programs, including oil painting, youth tennis which is taken over at WTS, as well as our basketball programs which are all at maximum capacity and all doing great.

Mayor Welch thanked Brendan McDermott, you do a wonderful job with our recreation department, and a great shout out to Gary Hall for allowing us to use WTS for tennis. It is great that we have somebody in our community who is willing to do that.

Trustee Eydt mentioned that the recreation department has added new exercise equipment.

Brendan McDermott stated if you haven't been to our fitness center, it is free of charge, we just ask that you fill out the liability form.

**Brendan McDermott – Parks, Recreation Cons. Board** said that we recently met in regards to the all-inclusive playground; we are making progress in funding and it is set to break ground in the spring next year. And we are looking into ideas for Academy Park.

**Fire Inspector Beebe** submitted his report and asked if there were any questions. There were no questions, continued moving forward.

**Historian Russ Piper** stated that this month we have received quite a few donations, some designated donations. Also I have received several inquiries over email, including a woman who will be coming back in May to do research near the Gorge on the Underground Railroad in Lewiston and Youngstown. There is new artwork I have placed throughout the building.

Mayor Welch recommended for everyone, especially the young students in the audience, to take a walk down the hall to the historian's room; the museum has so much on the history of the village and this area.

## **LIAISON REPORTS**

**Trustee Marasco** stated that the Lewiston Business Group is off and running with a couple of events; Trick or Treat sponsored by Tops which will be on Saturday, October 28<sup>th</sup>, 2019 from 11am-6pm. They will then be going into full mode for their early holidays.

## **OLD BUSINESS**

### **2020 Peach Festival Approval**

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the request for the Kiwanis Club of Lewiston to hold the annual Peach Festival at Academy Park in 2020, for use of the park from September 5<sup>th</sup>, 2020 to September 19<sup>th</sup>, 2020, allowing time to set up and take down the festival.

Trustee Eydt commended Marty Paul for doing a great job with the park, with relocating the handicap parking spots and trailers; all good decisions.

Marty Paul commented that he had received compliments in regards to the trailers being moved away from Academy Park during the event.

Trustee Marasco discussed that Jeff Jordan did a great presentation explaining how the festival functions at Academy Park and how it would work up at the Plateau, and asked Marty Pauly to thank him for us.

## **NEW BUSINESS**

### **Accept Resignation of Ken Slaughenhaupt HPC**

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to accept the resignation of Ken Slaughenhaupt, Chairman of the Historical Preservation Commission effective Tuesday, October 15<sup>th</sup>, 2019.

Mayor Welch mentioned that with Ken having so much going on, it is unfortunate that he cannot be the Chairman anymore; that he has so much knowledge, this is with great regret.

Trustee Marasco thanked Ken Slaughenhaupt for his service.

### **Appointment of Loretta Frankovitch as Chairperson HPC**

A motion was made by Trustee Marasco seconded by Trustee Conde and passed unanimously to accept the recommendation of Loretta Frankovitch as the Chairperson of the Historical Preservation Commission effective Wednesday, October 16<sup>th</sup>, 2019, for a term to 2021.

Trustee Eydt mentioned that the Historical Preservation Committee appoints their own person with the Village Board approval.

**Appointment of Peter Coppins to HPC**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to accept the recommendation of Peter Coppins to be moved from an alternate to a Historical Preservation Commission member effective Wednesday, October 16th, 2019, for a term to 2022.

**Approval For Chamber of Commerce Christmas Walk**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the Niagara River Region Chamber of Commerce annual Lewiston Christmas Walk and annual Tour of Homes Saturday, December 7<sup>th</sup>, 2019 & Sunday, December 8<sup>th</sup>, 2019. This request includes the use of Academy Park for Santa’s arrival by helicopter (weather permitting), Hennepin Park, The Peace Garden, and that part of Center Street remained closed in order to welcome Santa’s processional into the Village for approximately 15 minutes. The Chamber may also need assistance from the Department of Public Works with several barricades and extra garbage cans. A request will be made to the Fire and Police Departments for assistance with event safety.

**Lewiston Fire Co No 1 Membership**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the request from Lewiston Fire Co. No 1 to accept the resignation of Karl Frankovitch.

**Approval of Boy Scout Christmas Tree Sale**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the facility contract from Boy Scout Troop 855 requesting the use of Academy Park to perform the annual Christmas Tree Sales at the corner of Cayuga St and S. 9<sup>th</sup> St from Tuesday, November 26<sup>th</sup>, 2019 to approximately Sunday, December 22<sup>nd</sup>, 2019.

**Budget Amendment**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to approve the following budget amendment made by Brendan McDermott for the Recreation Department:

Transfer of \$35.35 from:

A00-7310-4150 (Youth Programs – Other) to A00-7310-4160 (Youth Grants)

**Executive Session**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to hold an executive session immediately following this board meeting to discuss the upcoming opening and compensation for positions within the Village Clerk’s office.

**Hodgson Russ as Bond Counsel**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously with five yes votes for a resolution to appoint Hodgson Russ LLP as Bond Counsel for the Village of Lewiston’s Lewiston Landing Capital Improvements project authorization and BAN funding.

Deputy Clerk Fundis polled the board, receiving the following results:

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

**WHEREAS**, the Village Board of Trustees agrees to the terms set forth in the agreement of engagement presented by Hodgson Russ, LLP

**WHEREAS**, the Village Board of Trustees agrees to have Mayor Welch sign the agreement of engagement with Hodgson Russ, LLP and

**NOW THEREFORE BE IT RESOLVED**, that Hodgson Russ LLP is hereby appointed Bond Counsel for the Village’s Lewiston Landing capital improvements project pursuant to the terms set forth in the engagement letter as presented.

**Adopt Bond Resolution**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously with five yes votes to approve the amending bond resolution for Lewiston Landing.

Mayor Welch explained that the ban is for our Lewiston Landing funding while construction is going on. We have money coming from Fema and State and our insurance, and this is to take care of extra payments. We are waiting to be reimbursed by Fema and the state, so we have to do this ban to pay the contractors. Once we are reimbursed, the money will go towards paying back the ban so we will not have any debt.

Deputy Clerk Fundis polled the board, receiving the following results:

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

**REPORTS**

**Clerk Treasurer Amy Salada** brought up that there are only 300 meter heads left to be put on. In November we plan to do a harder push for these. The outstanding taxes today total \$18,551.93; that will get a little lower, I know a couple people wait until last minute to pay. We received an interesting letter from Green Chip for an E-Waste, stating that they wanted to come to our community to do one. I have been reaching out but haven’t been able to get a hold of them, but plan to heavily pursue this.

Mayor Welch mentioned that the Town of Lewiston does this, and suggested to reach out to them to coordinate with who they use.

Trustee Eydt mentioned that Becky Wydych has done this in the past in conjunction with Modern Disposal.

Amy Salada said she we would reach out to the Town of Porter because they have recently done one.

**Law Counsel Leone** brought up that we received the letter about a large water bill and that somebody requested what our policy was towards a meeting or discussion; we really don’t have anything of that sort in our law, unless we are asked that the water/meter being turned off, in which a 30 day notice would be required. Also, if it is not paid it would go on the year’s tax bill. However because of that amount I think it might be a good idea for me to send a letter, to let them know there is no provision. They did install their own meters; it is on my desk and I will be working on this.

Law Counsel Leone addressed a donation question presented by Bill Justyk from the VFW for the Memorial Day Parade. Law Counsel Leone stated that the Constitution prevents the Village of Lewiston from giving things to private organizations and private individuals. With the Village of Lewiston or any municipality, there has to be something in return in order for something to be given. I understand that there is another committee in place, so the funds can go to a municipal committee as opposed to a private organization to accomplish the same thing.

Mayor Welch stated that the funding was used in the past by the VFW to go towards the parade and the luncheon, now that the other committee is handling the parade, the money goes to them instead.

Trustee Marasco commended Bill Justyk for being the driving force for the new Circle of Honor Monument; you stayed with it through all the difficulty, thank you from the

community for bringing honor to those that gave their lives and that that were in any part of the military.

Mayor Welch added that it is a beautiful monument, we are glad to have it.

Bill Justyk mentioned there will be two ceremonies that will be held on Monday, 11/11/19 to honor the Circle of Honor Monument; one at 11:00am and one at 5:30pm. Bill Justyk inquired if the VFW should we send a letter to you requesting the closing of Portage Rd because of the amount of people we are anticipating at 5:30pm.

Clerk-Treasurer Salada stated that there will be a Village Board work session before the event, please get the letter to me by November 4<sup>th</sup>.

Project Engineer Bednarz from Nussbaumer & Clarke, Inc. brought up that Lewiston Landing should be to standard completion by November 25<sup>th</sup>, 2019, and that on Wednesday we have an announcement for funding.

Mayor Welch mentioned that the governor is coming Wednesday, November 23<sup>rd</sup>, 2019 to Youngstown to announce the REDI Commission's findings on the municipalities along the river for the additional funding we have asked for due to the high water damage. We are asking for \$1.2-1.3 million due to having to stop in the middle of the project with the high water levels. Now with have floating docks, we won't have a problem with the water levels rising and falling. It is going to be a beautiful water front.

Project Engineer Bednarz brought up that we secured DASNY funding for the Marily Toohey All-Inclusive Park.

Mayor Welch stated that we are getting \$250,000 from DASNY for the playground which is much needed, as well as \$200,000 from the Town of Lewiston Greenway Commission. We have received about \$70,000 so far with private donations from businesses and residents, and are still looking for donations. It's going to be a beautiful park in the spring where all kids can play. We are also working on a DOT grant from Angelo Morinello in the amount of \$50,000, hoping to use along the highway and bike trail for the restroom at Academy Park

Trustee Eydt stated that the Department of Public Works is working with the Town of Lewiston and finished up the bike path along the parkway. The bike path exits out on Seneca Street, you may notice the guard rail in parkway. That bike trail starts approximately in Blasdell and they are hoping to connect it through the city of Buffalo. It's now tied in from the Grand Island Bridge right into the Village of Lewiston. The goal for 2021 is that they will be redoing Center Street and making this all part of the bike trail.

Mayor Welch said Center Street will all be dug up and will be getting rid of the brick crosswalks because they are a hazard and they deteriorate. The crosswalks will be painted on the roadway, which will be much easier for the handicapped. Also, that bike path goes from Seneca Street along 9<sup>th</sup> Street, across Center Street, down 9<sup>th</sup> Street, to Mohawk Street, then makes a right on Mohawk, which connects to the bike path that runs along the parkway that the Town of Lewiston has. We are waiting for the decals to show the shared bike trail. We are hoping it will also go down Center Street to the water front and out to River Road, which is even more scenic and will go all the way down to Youngstown.

## **BOARD REPORTS**

Mayor Welch stated that National Grid is going to be starting to take out our lights on Center Street and replacing with the LED lighting which will be more efficient in November 2019.

Trustee Eydt stated that the river region started a community program that includes the Village and Town of Wilson, Town of Lewiston, Town of Porter and Village of

Youngstown. This whole region as an inclusive group – the more people you have the more power you have.

Mayor Welch discussed that this river region program is good for our communities to get together and brainstorm ideas.

Trustee Marasco said thank you to the clerical staff for helping with that bond resolution, and I am glad to hear Joe (Joseph Leone Jr.) is receptive and on board. Thank you to the students who took the time to come here tonight, we would like you to come to more meetings, we are happy you are here. Also, I am really impressed with some of the projects being done on Center Street; Eighth and Center Street with three distinct buildings, Tim Hortons with a drive thru and seating outside. The Como at 555 Center St is building two apartments above, and the development at Fourth & Center Street will soon be accessible to public and reworked.

## **ANNOUNCEMENTS**

The Zoning Board of Appeals has no business, there will be no meeting held on Tuesday, October 22nd, 2019.

The next Village Board of Trustees Work Session is scheduled for Monday, November 4th, 2019 at 6:00pm.

The next Historic Preservation Commission meeting will be held on Tuesday, November 12th, 2019 at 6:00pm.

The next Planning Board meeting is scheduled for Wednesday, November 13th, 2019 at 6:30pm.

“Trick or Treat on Center Street” will be held on Saturday, October 26<sup>th</sup> from 11am-6pm throughout businesses within the Village of Lewiston.

The annual Trunk or Treat event will be held in the parking lot at the Lewiston Red Brick building on Monday, October 28th, 2019 from 4pm – 7pm.

The Village of Lewiston Trick or Treating will be on Thursday, October 31<sup>st</sup>, 2019 from 4pm-8pm.

The Village of Lewiston Recreation Department’s annual Halloween party will be held at the Lewiston Red Brick Building on Thursday, October 31<sup>st</sup>, 2019 from 6pm – 8pm.

The Village of Lewiston Clerk’s office and Department of Public Works will be closed on Monday, November 11<sup>th</sup>, 2019 in honor of Veteran’s Day.

The VFW will be holding a memorial service in front of the Circle of Honor Monument in Academy Park on Monday, November 11<sup>th</sup>, 2019 at 11am.

## **ADJOURN**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to adjourn the Village Board meeting at 7:24pm.

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Shannon Fundis  
Deputy Clerk

**EXECUTIVE SESSION**

**PRESENT**

Mayor Welch, Trustee Gibson, Trustee Marasco, Trustee Eydt, Trustee Conde, Law Counsel Leone, Deputy Clerk Fundis, Deputy Treasurer Myers

The Executive Session opened at 7:36pm.

No formal action was taken after a brief discussion.

**ADJOURN EXECUTIVE SESSION**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to adjourn the executive session at 7:49pm.

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Shannon Fundis  
Deputy Clerk