

PRESENT

Mayor Welch, Trustee Gibson, Trustee Marasco, Trustee Eydt, Trustee Conde, Law Counsel Joseph Leone, Zoning Officer DeVantier, Building Inspector Candella, Police Captain Cain, Robert Pidnick from Nussbaumer & Clark and Clerk Treasurer Salada.

ABSENT

Supt. Brolinski, and Michael Marino Village Engineer from Nussbaumer & Clark and Police Chief Previte.

CALL TO ORDER

Mayor Welch opened the meeting with the Pledge of Allegiance at 6:02 PM.

PUBLIC HEARING FOR THE PROPOSED parking ticket fine increase; this change will amend Local Law Section 11-40.

Mayor Welch opened the public hearing to increase the parking fines in the Village of Lewiston at 6:03 PM.

No public came forward to speak for this public hearing.

Mayor Welch said I suggest we raise the amounts of our parking fines. It has been a while since we raised these fines and this would be in line with other communities.

A motion to close the public hearing was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously at 6:04 PM.

PUBLIC HEARING FOR THE PROPOSED changes to the schedule of exemptions for tax payment; this will amend Local Law Section 18-17.

Mayor Welch opened the public hearing to change the schedule of exemptions at 6:04 PM.

No public came forward to speak for his public hearing.

Mayor Welch said this change has been requested by our Assessor Linda Johnson, it is a housekeeping type of change.

Trustee Eydt said this change puts us in line with the rest of the local communities; a variable scale is used, not many people in our community make less than \$15,025.

A motion was made by Trustee Conde and seconded by Trustee Marasco; passed unanimously to close the public hearing at 6:06 PM.

RESIDENTS

James Lynch of N. Ninth Street addressed the Village Board saying a few meeting back I came and requested a four way stop at the intersection of N. Ninth and Onondaga Street.

Mayor Welch said I remember and this was referred to Police Chief Previte to have him give us his opinion on that intersection.

James Lynch continued by saying; just yesterday an elderly woman was pinned in middle of the intersection when a vehicle would not stop to let her continue on to cross the street.

Trustee Marasco thanked him for returning; we will keep up on this.

Mayor Welch said yes we will look into this request.

Jake Loughran of S. Seventh Street approached the Village Board and said I sent a correspondence to you all about the traffic this past weekend at the intersection of S. Seventh Street and Tuscarora St. There was total disregard for the speed limit, the stop signs and the congestion concerned me. We need assistance with this problem.

Mayor Welch said yes I received that correspondence and on Friday I reached out to the Lewiston Police for assistance with the traffic problems.

Jake Loughran said yes I appreciate that you did that it helped, but the amount of cars that come down our street and are stacked bumper to bumper is a hazard, a safety issue. I get up to go to work at 4:00 AM. I shouldn't have to stay up all hours into the night to protect my property from people coming into town for an event.

Mayor Welch said I think we are going to have to do better and notify the residents and police about the Artpark event schedules. I was thinking about detouring the traffic past your street. I live on Cayuga Street and witnessed several incidents on my street with the traffic; people in a hurry and people speeding to not be late for the graduation event.

Jake Loughran suggested a police officer be placed on my street until the event is over to control the speed and the congestion. There are a lot of people who walk down my street to get to Artpark and it is not safe for pedestrians.

Mayor Welch said we want everybody to be safe and have a safe summer. I will speak to the Police Chief and come up with some solutions.

Kathy Federspiel of S Seventh said I have the same concerns as Jake Loughran; I made some calls today because I feel the worst is yet to come. Graduations at Artpark are the worst because people do not seem to know where to go to park. They are all in a hurry they go by our homes at 40 mph, and can't stop at the stop sign.

Mayor said I know because I watch them from my house, I would like to see more police presence.

Kathy Federspiel said the other suggestion is one that was done in the past; they used to park an unmanned police car at the intersection. It helped a lot. I realize that the police cannot be everywhere. It is utter chaos, I would like to ask who designates the parking areas. Why is there no parking on S. Fourth Street and parking on our streets. This is not the first time I have been here to talk about these problems.

Mayor Welch said I will check into your requests.

CORRESPONDENCE

No correspondence was discussed.

MINUTES

A motion was made by Trustee Conde seconded by Eydt and passed unanimously to approve the April 15, 2019 Village Board meeting minutes and the May 6, 2019 Village Board work session minutes.

BILLS Trustee Conde made a motion saying the vouchers were very nicely done; I made a motion to pay the May 2019 vouchers as presented by the Clerk's Office. Trustee Eydt seconded the motion and it passed unanimously to pay the following amounts:

| | | | |
|---------------------|---------------------|---------------------------|-------------------|
| GENERAL FUND | \$213,842.06 | TRUST & AGENCY | \$4,134.84 |
|---------------------|---------------------|---------------------------|-------------------|

REPORTS:

POLICE – Captain Cain said no report.

BLDG. INSPECTOR – Ken Candella said my report was submitted.

Trustee Gibson asked about the Paladino project; the National Fuel Gas building is almost submerged in water.

Building Inspector Candella said “John” will be down for an inspection on Thursday, I will discuss this with him.

Mayor Welch said she will also look into this.

Trustee Conde said there is a five-foot berm all the way around the National Fuel Gas building.

Trustee Eydt asked if there has been any movement on the Beau Sutor property (125 S. First Street).

Building Inspector Candella said only as listed on my report, waiting for asbestos abatement and then it can be torn down.

Zoning Officer Report: Ed DeVantier said his written report had been submitted.

Brendan McDermott reported on the successful Spring Fling, which brought in \$500 in donations, of which \$1,500 from the basket auction will go toward the Marilyn Toohey all-inclusive playground. The summer recreation program schedule is on our website and on Facebook.

HISTORIAN: Russ Piper reported he had a new piece of Artwork which was gifted to his collection from Sue’s Frame of Mind owner, it is a local piece Russ added. I am working on acquiring some new pieces for the Oakhill collection, I currently have close to 5,000 items in my collection.

LIAISON REPORTS

Trustee Gibson reported that he met with Sonia Clark of ArtPark and they have agreed to do signage on the south side of the Village of concerts. I also asked her to inventory the signage.

Mayor Welch stated I would like to meet with the Police and Artpark for safety issues with the summer concerts.

Trustee Marasco reported that several of us attended the Chamber awards dinner.

Mayor Welch added we were there supporting all this year’s recipients including our Casa Antica as business of the year and Citizen of the Year, Father David (Monsieur, David LiPuma of St. Peter’s RC Church).

Trustee Marasco praised the Beautification Commission for the work they are doing at Hennepin Park. They are having the benches refurbished, having the brick platforms replaced, the Heron Statue freshened up and much more. If any of you know a Beautification member thank them for this service.

Trustee Marasco asked if the cameras on Center Street were operational.

Captain Cain answered that he believed they were waiting for an electrician to wire a connection.

OLD BUSINESS

A motion to **table** the selection of the Municipal Insurance policy for fiscal year 2019-2020 until the end of the year meeting on May 30, 2019 was made by Trustee Eydt seconded by Trustee Conde and passed unanimously. The Village Board tabled this motion until they could get further information.

NEW BUSINESS

AMEND LOCAL LAW SEC 11-40 Penalties.

A motion to approve the amendment to Local Law Sec. 11-40 Penalties, increasing parking fines as follows:

| | INCREASE TO: | | |
|---|---------------------|----------------|----------------|
| <u>2:00 A.M. to 6:00 P.M. (Dec. 1-Apr. 1)</u> | <u>\$25.00</u> | <u>\$35.00</u> | <u>\$45.00</u> |
| Prohibited Parking | | | |
| Fire Zones | \$30.00 | \$35.00 | \$50.00 |
| <u>All Other Violations</u> | | | |
| Handicapped Parking NYS V & T Law | \$60.00 | \$70.00 | \$85.00 |

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the amendment to the village Code Section 11-40 Penalties.

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

AMEND LOCAL LAW SEC 18-17 SCHEDULE OF EXEMPTIONS

A motion to approve a resolution to amendment to Local Law Sec. 18-17 Schedule of Exemptions as follows:

TAX EXEMPTION / PARTICAL EXEMPTION FOR DISABLED

RESOLVED, by the Village Board of Trustees for the Village of Lewiston as follows: The purpose of this resolution is to grandfather a partial exemption to certain owners of real property who meet limited income and other requirements who have previously been receiving this benefit. Such requirements, and the corresponding percentages of assessed valuation which would be exempt from taxation depending on income level, are set forth in Subsection 459 of the Real Property Tax Law and in Section B of this resolution, below.

- A. The owner, or all the owners of the property, must have previously filed an application for such exemption, and have been receiving an exemption prior to July 1, 2016, on forms prescribed by the State Board and obtained from the assessing authority. The applications shall furnish all information requested, and be executed in the manner prescribed on such forms. Said applications shall be filed in the Assessor’s Office on or before the appropriate taxable status date.
- B. The income of the owner or the combined income of the owners must not exceed the maximums set out in the following schedule, for income tax year immediately preceding the date of making application:

| <u>Annual Income</u> | <u>Exemption Percent</u> |
|----------------------------|--------------------------|
| <u>Less than:</u> \$15,025 | 50% |
| \$15,025 to \$16,025 | 45 % |
| \$16,025 to \$17,025 | 40% |
| \$17,025 to \$18,025 | 35% |
| \$18,025 to \$18,925 | 30% |
| \$18,925 to \$19,825 | 25% |
| \$19,925 to \$20,725 | 20% |
| \$20,725 to \$21,625 | 15% |
| \$21,625 to \$22,525 | 10% |
| \$22,525 to \$23,425 | 5% |

- C. Title to the property must be vested in the owner, or if more than one, in all the owners, for at least twenty-four (24) consecutive months prior to the date that the application for exemption is filed.
- D. The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

This resolution shall take effect and apply to the 2019-2020 village taxes.

TAX EXEMPTION / PARTIAL EXEMPTION FOR SENIORS

RESOLVED, by the Village Board of Trustee for the Village of Lewiston as follows: the purpose of this resolution is to grant a partial exemption from taxation to certain owners of real property who meet limited income and other requirements. Such requirements, and the corresponding percentages of assessed valuation which would be exempt from taxation depending on income level, are set forth in Subscription 467 of the Real Property Tax law and in Section B of this Resolution, below.

- A. The owner, or all of the owners of the property, must file an application for such exemption on forms prescribed by the State Board and obtained from the assessing authority. The application shall furnish all information requested, and be executed in the manner prescribed on such forms. Said applications shall be filed in the Assessor’s Office on or before the appropriate taxable status date.
- B. The income of the owner or the combined income of the owners must not exceed the maximums set out in the following schedule, for the income tax year immediately preceding the date of making application:

| <u>Annual Income</u> | <u>Exemption Percent</u> |
|----------------------------|--------------------------|
| Less than: \$15,025 | 50% |
| From: \$15,025 to \$16,025 | 45% |
| \$16,025 to \$17,025 | 40% |
| \$17,025 to \$18,025 | 35% |
| \$18,025 to \$18,925 | 30% |
| \$18,925 to \$19,825 | 25% |
| \$19,825 to \$20,725 | 20% |
| \$20,725 to \$21,625 | 15% |
| \$21,625 to \$22,525 | 10% |
| \$22,525 to \$23,425 | 5% |

- C. Title to the property must be vested in the owner, or if more than one, in all the owners, for at least twenty-four (24) consecutive months prior to the date that the application for exemption is filed.
- D. The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

This resolution shall take effect and apply to the 2019-2020 village Taxes.

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously with five yes votes to amend the Village Code sec. 18-17 Schedule of exemptions.

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

LEWISTON FIRE CO NO 1 BOOT DRIVE

A motion was made by Trustee Conde **to table** this request from the fire company until a representative could be present, the motion was seconded by Trustee Eydt and passed unanimously to **table** the request until May 30, 2019. Lewiston Fire Company No. 1 has requested to hold the annual Boot Drive during the Tuesday Night ArtPark Concerts. This event is held on Center Street at Center and Ninth Street along Academy Park to Portage Rd. This event will start Tuesday, June 4, 2019 to Tuesday, August 27, 2019.

LEWISTON FIRE CO NO 1 MEMBERSHIP CHANGE

A motion was made by Trustee Conde seconded by Trustee Eydt and passed unanimously to accept the resignation of Amanda Mrzygut from the membership roster at Lewiston Fire Co. No. 1 effective immediately.

RECREATION DEPARTMENT REQUEST

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the request by Recreation Director McDermott to use the Toohey Park Basketball Courts for a Men's Basketball League on Monday and Wednesday evenings from June 3, 2019 to August 28, 2019 5:00 PM to 9:00 PM.

RECREATION DEPARTMENT REQUEST

A motion was made by Trustee Conde seconded by Trustee Eydt and passed unanimously to approve the request by Recreation Director McDermott to use the Toohey Park Basketball Courts for the Paul Mamon Memorial 3 on 3 Boys' Basketball Tournament to be held on Saturday, August 17, 2019, 9:00 AM to 3:00 PM.

RECREATION DEPARTMENT REQUEST

A motion was made by Trustee Gibson seconded by Trustee Marasco and passed unanimously to approve the request by Recreation Director McDermott to use the Toohey Park Playground for a Toddler Playgroup, Monday-Friday mornings from July 1, 2019 to August 29, 2019, 9:00 AM to 12:00 Noon.

RECREATION DEPARTMENT REQUEST

A motion was made by Trustee Conde seconded by Trustee Eydt and passed unanimously to approve the request from Recreation Director McDermott to use Academy Park Band shell for the Thursday Family Fun Night Series. The events will take place on Thursdays June 27, 2019 to August 22, 2019 6:00 PM to 11:00 pm. In case of inclement weather this event will be moved indoors to the Redbrick Gymnasium.

RECREATION DEPARTMENT TO HIRE JACOB KASBAUM REQUEST

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the request from Recreation Director McDermott to hire Jacob Kasbaum for the position of Recreation Leader at the pay rate of \$12.60 per hour, which will raise to \$13.06 per hour after June 1, 2019.

RECREATION DEPARTMENT TO HIRE ZACH CLAYBOURNE

A motion was made by Trustee Eydt seconded by Trustee Gibson and passed unanimously to approve the request from Recreation Director McDermott to hire Zack Claybourne for the position of Recreation Leader at the pay rate of \$12.60 per hour, which will raise to \$13.06 per hour after June 1, 2019.

2019-2020 VILLAGE TAX LEVY

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to authorize the levy of real property taxes for the year 2019-2020 Tax Warrant directing the Clerk Treasurer to receive and collect: taxes in the amount of **\$1,158,058.85**. A re-levy of water and sewer charges in the amount of **\$17,636.30** a total warrant to collect **\$1,175,695.15** and to establish the tax rate at **\$7.57** per thousand dollars of assessed value.

AMUSEMENT GAME DEVICES

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to refund Cask & Cow the fee of \$135 for amusement game devices.

DISCUSSION

Nicole McCoy approached the Village Board requesting a letter stating that patrons of the Niagara Crossing Hotel are allowed to use the public parking on Water Street.

Law Counsel Leone asked Nicole McCoy; is your insurance company going to give the village something to assure that your insurance will cover any damages that might occur; indemnify?

Nicole McCoy asked can I give you my business card so you can email me and tell me and tell me specifically what is needed.

Law Counsel Leone and Nicole McCoy exchanged information.

Mayor Welch opened the discussion on trash collection for the Village of Lewiston: Supt Brolinski said the garbage men have been tagging refuse cans out to the road for collection because they are too heavy to be lifted and dumped into the refuse packer. We have been having an issue with two men being unable to lift the cans.

Mayor Welch said we need for the residents to break up the refuse into manageable weights and into bags that can be lifted. The Village Code states sixty pounds as the weight limit.

Mayor Welch opened discussion on Lewiston Landings rehabilitation project. Rob Pidnick from Nussbaumer & Clark that her office has been busy with the upcoming festivals reported that they are trying to get the walkway to the leased slips in place, the slips have been ordered and are being delivered. The construction has been hampered by the rain. The north end dock for fishing is complete. The Whirlpool Jet Boat has been moved temporarily to the big dock to keep them operating during construction.

Rob Pidnick from Nussbaumer and Clark also discussed that he will be relaying the message to Michael Marino that drawing and a schedule for construction for the Marilyn Toohey All Inclusive Playground were requested by the Village Board.

Trustee Eydt opened discussion on the recreation entrance door in the rear of the municipal redbrick building. The door currently does not have a chain or stop mechanism to keep it from hitting the railing and shattering the glass.

Recreation Director McDermott said this door has been a problem the glass in the door has been broken multiple times.

Clerk Treasurer Salada was asked to place a work order for the Dept. of Public works to repair this door.

REPORTS

Clerk Treasurer Salada reported that the new Deputy Clerk Shannon Fundis is doing well with her training. Shannon Fundis was in the audience and she was acknowledged. Salada further reported that her office has been busy assisting with the paperwork requirements for the upcoming festivals, runs, parades and events. We are working on closing out the fiscal year 2018-2019, and the tax bills have been printed and processed, I will be picking them up in Lockport in the next few days.

Law Counselor Leone reported that he recently attended a Municipal Law Conference; one of the subjects was basic training for Planning and Zoning Commissions, I know this has come up in the past. A commission can hold a training for themselves, or one could be planned with other area communities.

Law Counsel Leone said a representative from Spectrum reached out to him with respect to the contract with the Village. Leone said Trustee Conde, Trustee Gibson and Jim Abondanza and I worked on this and completed it with Time Warner before they sold to Spectrum.

Trustee Gibson said that was over three years ago.

BOARD REPORTS

Trustee Conde said no report at this time.

Trustee Eydt said no report.

Trustee Gibson reported that he met with Sonia Clark of Artpark and she has agreed to give funding to help offset the costs of the Dept. of Public Works during the Artpark events.

Trustee Marasco reminded everyone to attend the Taste of Lewiston and that the Remembrance Day Parade and memorial event will be held on Monday, May 27, 2019. Also the giant famous garage sale is scheduled for June 6, 7, 8, and 9, 2019.

Mayor Welch said I am here every day if anyone needs anything I am available. I would like to congratulate Hibbard's Custard Stand on their 80th anniversary. They celebrated with a new custard flavor called the Bare Naked Bang, dedicated to the Bare Naked Ladies, who sing if I had a million dollars; during a recent concert at Artpark they stopped at Hibbard's and purchased a custard ice cream, later during their concert they sang "If I had a million dollars, I'd be as rich and creamy as Hibbard's Custard".

ANNOUNCEMENTS

The next Village Board meeting will be on Monday, June 17, 2019 at 6:00 PM.

The Village Board of Trustees have scheduled the end of the Year meeting for Thursday, May 30, 2019 at 5:30 PM.

The next Historic Preservation meeting will be held on Tuesday, May 28, 2019 at 5:30 PM.

The next Zoning Board of Appeals meeting is scheduled for Tuesday, May 21, 2019, 2019.

The next Planning Board meeting is scheduled for Monday, June 10, 2019 at 6:30 PM.

The annual taste of Lewiston Event will be held on Saturday, May 25, 2019 on Center Street.

The annual Memorial Day Parade, Ceremony and Luncheon will be held on Monday, May 27, 2019 starting at 11:00 AM.

ADJOURN

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