

**PRESENT** Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Coppins, Trustee Gibson, Law Counsel Leone, Superintendent Wills, Engineer Marino, Police Captain Salada, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez, Historian Piper

**EXCUSED** Building Inspector/Zoning Officer Candella, Recreation Director McDermott

**PUBLIC HEARING** Mayor Welch opened the public hearing with the Pledge of Allegiance at 6:01pm on the discontinuance of a portion of Seneca Street (800 block) to allow the expansion of the Department of Public Works Garage.

No residents were present to speak. A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to adjourn the public hearing at 6:02pm.

**PUBLIC HEARING** Mayor Welch opened the public hearing at 6:02pm on the amendment of Local Law 3-2022: Speed Limits

**Sec. 11-16 – Speed Limits**

(a) *Maximum speed.* Twenty-five miles per hour is hereby established as the maximum speed at which vehicles may proceed, on or along highways within the corporate limits of this village.

(b) The maximum speed at which traffic may proceed along specific streets or portions thereof in the village is hereby established as follows:

*Creek Road Extension*, between the east village line and the south village line, 40 miles per hour.

*Garden lane*, 15 miles per hour.

*Historical Square Apartments*, on or along the roadways on the premises, 920 Mohawk Street, 15 miles per hour.

*Forest Road*, between the north village line and the south village line, 30 miles per hour.

*Mountain View Drive*, between the east village line and the south village line, 30 miles per hour.

Resident, Robert Giannetti expressed his concerns on the high traffic flow on Center Street, specifying the corner of Fourth and Center Street in the morning. Giannetti recommended changing the speed limit on Center Street to 15 miles per hour. In addition to the speed limit changes, Giannetti stated there needs to be additional police presence and enforcement.

Mayor Welch commented that regarding Center Street, the village will have to wait to hear from NYS Department of Transportation before changing this speed limit.

A motion was made by Trustee Gibson seconded by Deputy Mayor Eydt and Trustee Conde in unison and passed unanimously to adjourn the public hearing at 6:10pm.

**CALL TO ORDER** Mayor Welch called the meeting to order at 6:11pm.

**RESIDENTS**

**Ronald Craft** expressed concerns about noise ordinances in the village; stating that the noise from motorcycles, cars and live music are not comfortable. Craft also inquired about the continual beeping for the traffic lights for the blind, stating that this beeping will not be heard because of the noise issue.

**OLD BUSINESS**

**Coulter Farms – Farm Stand at Lewiston Landing**

Owner of Coulter Farms, LLC. Mark Falvo, presented his request to host a farm stand with Chaz Shiah at the waterfront next to the fish cleaning station. Falvo and Shiah explained that they would unload early in the morning, then move the truck behind the building so it isn't taking up space, and pack up each night.

A discussion ensued on the option of exclusivity. Law Counsel Leone stated that he sees some issues, that once you open this up, it will be hard to say no to somebody else in the future; it is setting a precedence.

A motion was made by Trustee Gibson and seconded by Trustee Coppins to approve the Coulter Farms, LLC. farm stand daily from 8am to dusk on a probationary period through the 2022 calendar year. This approval included a fee of \$25 per day of use. Falvo was informed that if he would like to reapply for the 2023 season, to submit a facilities use agreement before the end of the year. The motion passed with four yes votes.

**Gibson – YES Coppins – YES Eydt – NO Conde – YES Welch - YES**

Falvo requested a first right of refusal. Law Counsel Leone added that he would like to come up with a specific contract to reflect insurance requirements and the probationary period.

**NEW  
BUSINESS**

**Seneca Street – Discontinuance Portion of Street**

A motion was made by Deputy Mayor Eydt and seconded by Trustee Gibson to approve the following resolution:

**WHEREAS**, the Village of Lewiston Board of Trustees is empowered and authorized to alter, narrow, or discontinue the usage of all or a portion of a street in the Village of Lewiston; and

**WHEREAS**, the said Board of Trustees, in its discretion has determined that a portion of Seneca Street (800 block) is not necessary for public use as a roadway or street and is not needed as a public thoroughfare; and

**WHEREAS**, the said Board of Trustees has further determined that any change to the grade of such street will not injuriously affect any building or land adjacent thereto; and

**WHEREAS**, the said Board of Trustees finds that the best interests of the public are served by discontinuing the usage of a portion of Seneca Street (800 block) as a public street to allow the expansion of the Village of Lewiston Department of Public Works Garage; and

**WHEREAS**, the portion of Seneca Street (800 block) to be used for the expansion of the said Village of Lewiston Department of Public Works Garage is set forth on the attached diagram of Nussbaumer & Clarke, Inc.;

**NOW, THEREFORE, BE IT RESOLVED**, by the Village of Lewiston Board of Trustees that the portion of Seneca Street (800 block) as indicated on the said attached diagram of Nussbaumer & Clarke, Inc. be and the same is hereby discontinued as a public street; and

**BE IT FURTHER RESOLVED**, that the said discontinuance of such use as a public street is not, and shall not be deemed, an abandonment of said property be the Village of Lewiston which shall retain all rights, title and interest in the same, and shall now be utilized to allow the expansion of the Village of Lewiston Department of Public Works Garage; and

**BE IT FURTHER RESOLVED**, that the Village of Lewiston staff shall execute such documents and take further action as may be necessary to effectuate the discontinuance of the property as a public street and thoroughfare, as well as to effectuate the expansion of the Village of Lewiston Department of Public Works Garage as more particularly describe above.

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

**Gibson – YES Coppins – YES Eydt – YES Conde – YES Welch - YES**

**Local Law #3-2022: Speed Limits**

A motion was made by Deputy Mayor Eydt and seconded by Trustee Gibson to amend Local Law #3-2022: Speed Limits:

**Sec. 11-16 – Speed Limits**

(a) *Maximum speed.* Twenty-five miles per hour is hereby established as the maximum speed at which vehicles may proceed, on or along highways within the corporate limits of this village

(b) The maximum speed at which traffic may proceed along specific streets or portions thereof in the village is hereby established as follows:

*Creek Road Extension*, between the east village line and the south village line, 40 miles per hour.

*Garden lane*, 15 miles per hour.

*Historical Square Apartments*, on or along the roadways on the premises, 920 Mohawk Street, 15 miles per hour.

*Forest Road*, between the north village line and the south village line, 30 miles per hour.

*Mountain View Drive*, between the east village line and the south village line, 30 miles per hour.

All other provisions of the Lewiston Village Code, Section §11-16 shall remain as therein stated and unchanged.

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

**Gibson – YES Coppins – YES Eydt – YES Conde – YES Welch - YES**

This motion is contingent upon approval from the NYS Department of Transportation granting approval to change the speed limit on Center Street. A specific date for the change will be made and voted on at a Village Board of Trustees meeting. The public will be notified when the changes will be effective.

**Garden Festival 2023 Request**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to approve the request made by the Garden Club to host the Annual Garden Festival on Saturday, June 17, 2023 – Sunday, June 18, 2023.

**Niagara River Region Chamber of Commerce 2023 Events Date Request**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the following tentative date requests from the Niagara River Region Chamber of Commerce for the 2023 season:

Jazz Festival - August 25 & 26, 2023

Harvest & Hops - September 23-24, 2023

Lewiston Christmas Walk - December 2-3, 2023

Christmas Lights Parade - December 3, 2023

**Be OK Studio – Academy Park Rental Request**

A motion was made by Deputy Mayor Eydt seconded by Trustee Conde and passed unanimously to approve the request made by Bobbi Stokes from Be OK Studio for use of Academy Park to hold weekly outdoor yoga/fitness classes on Saturday mornings at 10:00am, beginning in the month of May 2023 through October 2023.

**Lewiston Council on the Arts 2023 Events Date Request**

A motion was made by Trustee Gibson seconded by Trustee Coppins and passed unanimously to approve the following tentative date requests from the Lewiston Council on the Arts for the 2023 season:

Date(s)	Time	Event	Request Use of...
Friday July 7,	6-10	Summer of '69	Academy Park & Bandshell
July 10, 17, 24, 31 Aug 7, 14,	7-9	Blue Monday Concerts	Hennepin Park & Gazebo
Aug 12 & 13	10-6	Lewiston & Art Festival & KeyBank Chalk Walk	Center St. 4 <sup>th</sup> -8 <sup>th</sup>

Art Festival Request closing of

- Center St. from 4<sup>th</sup> – 8<sup>th</sup> beginning 5 AM Sat
- N. 5<sup>th</sup> St from Northwest Bank drive thru to Center St. from 5 AM Sat
- S. 5<sup>th</sup> St from KeyBank drive thru to Center St.
- Use of Peace Garden

**Budget Amendment Request**

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

**From: A00-1325-4052 – Clerk/Treasurer Outside Contractor – \$418.86**  
**To: A00-1450-4000 – Elections Contractual - \$418.86**

**Budget Amendment Request**

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

**From: A00-3410-4150 – Fire - Other – \$1,430.00**  
**To: A00-3410-4052 – Fire – Service Awards - \$1,430.00**

**Payment Request**

A motion was made by Deputy Mayor Eydt seconded by Trustee Coppins and passed unanimously to approve an out of cycle payment to Wargo Enterprises Inc., in the amount of, \$123,095.77 for Progress Payment # 1 for the Department of Public Works garage additions. This payment will come from H17-7180-3000.

**Executive Session**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to enter into Executive Session immediately following the close of the meeting to discuss real property.

**Rotary Club Run for Polio**

A motion was made by Trustee Gibson seconded by Trustee Coppins and passed unanimously to approve the request made by Niagara River Greenway to host the Rotary Club Pedal for Polio Ride on Saturday, October 1, 2022 at 10am, which will begin and end at Hennepin Park.

**DISCUSSION****605 Center Street – Fence Replacement**

A discussion ensued regarding the streetscape fence located at 605 Center Street that is in disrepair. Mayor Welch commented how Trustee Coppins helped Beautification acquire brand new wreaths for the holiday season, and at the state the fences along Center Street are in, there will be nowhere to hang them. Welch added that we have an estimate to replace the fence with a commercial vinyl fence for around \$8,000 and suggested that the funds from the sale of 475 Ridge Street be used for this.

Superintendent Wills added that a lot of the fencing has been taken down in recent years because they are completely rotted out.

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to approve the replacement of the existing fence at 605 Center Street, and the use of the funds from the sale of 475 Ridge Street to pay for it.

**Wargo/Peak Payment Request**

A discussion ensued regarding the request made by the contractor and subcontractor for the Department of Public Works garage additions, Wargo and Peak, for the village to send payment installment checks made payable jointly to Wargo and Peak. Law Counsel Leone stated that he received a call for this request, as well as a joint check agreement, that both companies would accept responsibility and get proper waivers. The Village Board of Trustees requested more information before a decision could be made. No action was taken.

**ANNOUNCEMENTS**

The Historic Preservation Commission meeting will be held at 6:00pm, followed by the Planning Board meeting on Monday, September 12, 2022.

The Village Board of Trustees meeting will be held at 6:00pm on Monday, September 19, 2022.

The Zoning Board of Appeals meeting will be held at 6:30pm on Tuesday, September 27, 2022.

**ADJOURN** A motion was made by Trustee Gibson seconded by Trustee Coppins and passed unanimously to adjourn the meeting at 6:57pm.

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Shannon Fundis, Clerk

**EXECUTIVE SESSION**

**PRESENT** Mayor Welch, Deputy Mayor Eydt, Trustee Conde, Trustee Coppins, Trustee Gibson, Superintendent Wills, Law Counsel Leone, Clerk Fundis, Treasurer Longwell, Deputy Clerk Vazquez

**CALL TO ORDER** Mayor Welch called the Executive Session to order at 7:03pm.

No action was taken.

**ADJOURN** A motion was made by Deputy Mayor Eydt seconded by Trustee Coppins and Trustee Conde and Trustee Gibson in unison and passed unanimously to adjourn the executive session at 7:41pm.

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Shannon Fundis, Clerk