

April 1, 2019

**A BUDGET MEETING WAS HELD ON APRIL 1, 2019 at 5:00 PM**

**PRESENT**

Mayor Welch, Trustee Marasco, Trustee Eydt, Trustee Conde, Trustee Gibson, Recreation Director McDermott, Deputy Treasurer Myers and Clerk Treasurer Salada.

Deputy Treasurer Myers gave a presentation on the proposed budget for 2019-2020.

A conversation was held on which budget lines have increased and if there were any ways to reduce other budget lines.

The meeting adjourned at 6:00 PM

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Amy Salada, Clerk Treasurer

**CALL TO ORDER**

Mayor Welch called the meeting to order with the Pledge of Allience at **6:02 PM**.

**PRESENT**

Mayor Welch, Trustee Marasco, Trustee Gibson, Trustee Conde, Trustee Eydt, Engineer Marino, Law Counsel Leone, Supt. Brolinski, Police Chief Previte, Clerk Treasurer Salada.

**RESIDENTS**

No residents came forward to speak.

**CORRESPONDENCE**

No correspondence was brought to discussion.

**OLD BUSINESS**

No old business was brought forward.

**NEW BUSINESS**

**DEVELOPMENT PLAN 442 CENTER STREET**

A motion was made by Trustee Eydt seconded by Trustee Conde and passed unanimously to approve the development plan at 442 Center Street as recommended by the Planning Commission March 11, 2019 with variances granted by the Zoning Board of Appeals on March 26, 2019.

**BUDGET AMENDMENTS AS REQUESTED BY SUPT. BROLINSKI**

A motion was made by Trustee Gibson seconded by Trustee Eydt and passed unanimously to approve the following budget amendments as requested by Supt. Brolinski:

From: A00-8160-4052	\$1,905.05	To: A00-8160-4050	\$1,904.05
Refuse tipping fees		Refuse & Garbage Outside Contractor	
From: A00-5142-4102	\$4,562.21	To: A00-1640-2000	\$4,562.21
Snow Removal Salt		Central Garage Equipment	

**BUDGET AMENDMENTS AS REQUESTED BY CLERK TREASURER SALADA**

A motion was made by Trustee Conde seconded by Trustee Marasco and passed unanimously to approve the following budget amendments as requested by Clerk Treasurer Salada:

From: A00-1680-4050	\$142.00	To: A00-1670-4052	\$142.00
Central data processing		Meter Rental	
From: A00-9010-8000	\$339.00	To: A00-9060-8050	\$339.00
Retirement		Employee Flex Plan	

From: A00-9010-8000	\$170.00	To: F00-9060-8050	\$170.00
Retirement		Employee Flex Plan	
From: A00-9010-8000	\$170.00	To: G00-9060-8050	\$170.00
Retirement		Employee Flex Plan	
From: A00-1325-4120	\$17.00	To: A00-1325-4150	\$17.00
Clk. Treasurer Schools & Travels		Clk. Treasurer Other Expenses	

**LEWISTON FIRE CO. NO. 1 MEMBERSHIP**

A motion was made by Trustee Gibson seconded by Trustee Conde and passed unanimously to accept the membership resignation of **James Pythic** from Lewiston fire Co No 1 membership.

**SKYLIGHTERS JULY 4<sup>th</sup> FIREWORKS CONTRACT**

A motion was made by Trustee Eydt seconded by Trustee Marasco and passed unanimously to **table** the 2019 Sky lighters pyrotechnic display and services agreement for July 4, 2019 with a rain date of July 5, 2019.

This request was tabled after Law Counsel Joseph Leone requested that the Village Board allow him the time to reach out to the Sky lighters company and discuss the possibility of making a few changes on the contract. Law Counsel Leone said he would like to clarify liability language.

**LOWER NIAGARA MOOSE LODGE MONTE CARLO NIGHT TO BENEFIT MARILYN TOOHEY PARK ALL INCLUSIVE PLAYGROUND**

A motion was made by Trustee Marasco seconded by Trustee Gibson and passed unanimously to approve the facilities contract for the Lower Niagara Moose Lodge #584 to use Academy Park August 2, 2019(as the set up day) and August 3, 2019, 2:00 PM (day of the event) to 11:00 PM and August 4, 2019 (or take down and cleanup). To hold a Carnival Event and Monte Carlo Night with bands to benefit the All Inclusive Playground at Marilyn Toohey Park.

**BOND RESOLUTION AMENDMENT FOR ADDITIONAL \$400, 000 – LEWISTON LANDING**

**BOND RESOLUTION DATED APRIL 1, 2019**

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$400,000 IN BONDS OF THE VILLAGE OF LEWISTON, NIAGARA COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE ACQUISITION OF LABOR, MATERIALS AND ENGINEERING EXPENSES FOR REPAIR AND IMPROVEMENTS TO LEWISTON LANDING IN AND FOR SAID VILLAGE.

**WHEREAS**, the Board of Trustees of the Village of Lewiston, Niagara County, New York, on August 20, 2018, duly adopted a bond resolution authorizing the issuance of \$400,000 bonds of said Village to pay the costs associated with the labor, materials and engineering, including equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, for the repair and improvements of Lewiston Landing in and for said Village of Lewiston, Niagara County, New York, and

**BE IT RESOLVED**, by the Village Board of the Village of Lewiston, in Niagara County, New York, the Village of Lewiston by the favorable vote of not less than two-thirds of all members of the board as follows:

**WHEREAS**, it has now been determined that the maximum estimated cost of such specific object or purpose is \$800,000, an increase of \$400,00 over that previously authorized; and

**WHEREAS**, it is now desired to authorize the issuance of an additional \$400,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; **NOW, THEREFORE, BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Lewiston, Niagara County, New York, as follows:

**Section 1.** For the specific object or purpose of paying additional costs of the Lewiston Landing repairs and improvements, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued an additional \$400,000 bonds of the Village of Lewiston, Niagara County, New York, pursuant to the provisions of the Local Finance Law, **PROVIDED, HOWEVER,** that to the extent that any State or Federal grants-in-aid and insurance recoveries are received for said specific object or purpose, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

**Section 2.** It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$800,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

- a) by the issuance of the \$400,000 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted August 20, 2018; and
- b) by the issuance of the additional \$400,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

**SECTION 3.** It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 22 paragraph (a) period of probable usefulness is 30 years and the period of probable usefulness as described in subdivision 24 is ten years as provided by Section 11.00 of the Local Finance Law, however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of bonds, will mature no later than five years from the date of original issuance of such bonds or notes.

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

**SECTION 6.** the faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village board pertaining or incidental to the sale and issuance of the obligations herein authorizing including, but not limited to, authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and any bond anticipation issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Treasurer to the extent permitted by Section 58.00 (f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

**SECTION 8.** the temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.00 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** the Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax exempt bonds" in accordance with Section 265(b)(3) of the Code.

**SECTION 10.** The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 11.** the Village hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determinations or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

**SECTION 12.** In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

**SECTION 13.** the validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the village is not authorized to expend money, or  
(b) the provisions of the law which should be complied with at the date of the publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced with 20 days after the date of such publication; or
2. such obligations were authorized in violation of the provisions of the Constitution of New York.

**SECTION 14.** The Village Clerk is hereby authorized and directed to publish this resolution or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and designated as the official newspaper of the Village for publication.

**SECTION 15.** This resolution is effective immediately.

A motion was made by Trustee Eydt seconded by Trustee Gibson. Clerk Treasurer Salada polled the Village Board of Trustees receiving the following results:

Trustee Conde	"YES"	Trustee Eydt	"YES"
Trustee Marasco	"YES"	Trustee Gibson	"YES"
Mayor Welch	"YES"		

The Resolution passed with five "Yes" votes.

#### **RENAME LEWISTON PLATEAU**

Mayor Welch said I am proposing that we rename the Lewiston Plateau Park lands after Richard F. Soluri past Mayor for the Village of Lewiston. For his fifteen years of service (1994-2009) and the fact that without his hard work the village wouldn't have that park land.

I would like to name the Plateau Park lands; Richard F. Soluri Park, Mayor Welch said.

Trustee Marasco made a motion to approve the request from Mayor Welch to rename the Plateau Park lands; Richard F. Soluri Park. Trustee Eydt seconded the motion and it passed unanimously.

Mayor Welch said she would like to have a dedication sometime in June 2019.

#### **DISCUSSION**

Mayor Welch said she was working on getting the boards and commissions together for a work session.

Mayor Welch said she was proposing a joint meeting with the Town of Lewiston to discuss the police contract.

After a brief discussion Clerk Treasurer Salada was asked to contact the Town of Lewiston and try to set this joint Town/Village meeting up for 5:00 PM on April 15, 2019.

Supt. Brolinski said that the approved signage for the Rite Aid Plaza at 721-739 Center Street will be going up on April 2, 2019.

Trustee Eydt said the plans for the Lower Niagara Moose Lodge Monte Carlo Night on August 3, 2019 at Academy Park to benefit the Marilyn Toohey All Inclusive Park were moving along well.

Trustee Conde said Trustee Eydt has been working very hard on this project.

Mayor Welch added yes I agree; thank you Trustee Eydt for getting this going.

Mayor Welch asked Engineer Marino to give an update on the Lewiston Landing Waterfront project.

Engineer Marino said that the bricks have been removed, the materials needed have been ordered, and Mark Cerrone Inc. and Darling are planning their attack on the construction job. On Tuesday, April 2, 2019 we should have a plan for the construction. The Whirlpool Jet Boat owner is working with me and we are working on making this project as smooth as possible for all who are involved. The Army Corp permit has been issued. Once the material is here they can get at the project.

Trustee Eydt asked what the time line was for the steel pilings.

Engineer Marino said a couple of weeks.

Mayor Welch asked Engineer Marino where the village stands with receiving the DASNY funds (250,000).

Engineer Marino said the local folks have approved the disbursement we are just waiting to hear from the state level.

Mayor Welch asked if there was a start date for the Marilyn Toohey All Inclusive Park.

Engineer Marino said he did not have a start date; we are working on getting the materials.

Law Counsel Joseph Leone spoke about the request from the property owner at 125 S first Street to demo the structure. Leone said I have not gotten a response from Bank Attorney one or from Bank Attorney two. I have given them at date of today (April 1, 2019) to respond by, and out of the kindness in my heart I will give them until tomorrow to respond. If I do not hear from them I will give Building Inspector Candella the go ahead for the demolition of 125 S First Street.

Mayor Welch said good there have been children getting into that structure.

**ANNOUNCEMENTS:**

- The next Village Board meeting will be held on April 15, 2019 at 6:00 PM.

- The next Planning Board meeting is scheduled for Monday, April 8, 2019 at 6:30 PM
- The Historic Preservation Commission meeting is scheduled for Monday, April 22, 2019, at 6:00 PM.
- The Zoning Board of Appeals meeting is scheduled for Tuesday, April 23, 2019 6:30 PM.
- The annual Earth Day Cleanup sponsored by the Village of Lewiston will be held on Saturday, April 27, 2019 at 9:00 AM. We start at the Redbrick School house.

**ADJOURN**

A motion was made by Trustee Conde seconded by Trustee Gibson and passed unanimously to adjourn the Village Board Work Session at 6:33 PM.

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Amy Salada, Clerk Treasurer

**BUDGET MEETING**

April 10, 2019

The Village Board of Trustees scheduled a budget meeting to meet with department heads individually and discuss changes in their budget lines.

**PRESENT**

Mayor Welch, Trustee Conde, Trustee Marasco, Trustee Gibson, Trustee Eydt, Deputy Treasurer Myers, Supt. Brolinski, Deputy Supt. Wills, Brendan McDermott Recreation Director, Fire Inspector Barry Beebe, and Clerk Treasurer Salada.

Each department head gave a report on their budget lines and the changes. No official action was taken at this meeting.

The budget meeting ended at 6:51 PM.

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Amy Salada, Clerk Treasurer