

VILLAGE BOARD MEETING –April 25, 2013

Mayor Reynolds called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Also present were Deputy Mayor Sutor, Trustees Adamson, Lockhart and VanDeusen, Attorney Caserta, DPW Superintendent Muller, Police Chief Salada, Building Inspector Stevens, Engineer Lannon and a standing room only group of residents that extended into the hallway.

The Mayor asked for public comments and stated that it is not normally the practice to limit speaking time but, in order to accommodate everyone; each speaker will be limited to three minutes. The Mayor asked that each person state their name and address before speaking.

Janice Bush of Third St. requested permission for the Peace Garden committee to place a three seat glider in the garden. The committee will pay for the glider. She then reported additional commemorative bricks have been sold and will be installed soon for a total of 253 bricks. Trustee Adamson motioned to approve the glider installation, seconded by Deputy Mayor Sutor and carried.

Donna Huggins of Main St. asked if there was an update on the purchasing efforts through grants for the vacant lot at the corner of Main and Lockport Sts. and asked if a committee could be formed for searching out grants. Mayor Reynolds stated a committee could be formed and will contact Mrs. Huggins to discuss the matter further.

Mike Fox of Lower River Rd. stating he is withdrawing his plans to use the Village dock for his proposed jet boat endeavor. He also stated the jet boats he is proposing should be considered white water boats. Mr. Fox then thanked the Board for their consideration.

Nancy Sanger of Lockport Rd. asked the Mayor to form a committee for a proposed project at the Falkner Park area. Mayor Reynolds stated the Board was waiting for Ms. Sanger to get back to them with a meeting date with Mr. Larry Elia, regarding their project plans which should include drawings and contact persons.

Jim Carroll of Lake Rd. stated he was in favor of Mr. Fox's boat proposal which would be good for the other local businesses. Mr. Carroll then wished Mr. Fox good luck with his endeavor.

Jason Sutor, commodore of the Youngstown Yacht Club stated there have been concerns with the jet boats in the past but wants businesses to succeed. He also wants to work with Mr. Fox to mitigate any possible problems referring to those that had occurred with John Kinney's jet boat operation. He also wished Mr. Fox good luck with his business.

Rod Fairbank of Water St. stated he had recently learned of Mr. Fox's proposed jet boat endeavor, stating the Village needs more business traffic and foot traffic but asked that the Board consider all the aspects before granting permission to Mr. Fox's proposal. Mayor Reynolds stated that Mr. Fox is no longer looking to use the Village dock. The operation would be at the marina which Mr. Fox now leases. Therefore, the Board does not have to give permission for the business and does not require Village Zoning approval.

Pauline Kaiser of Main St. stated she observes what goes on at the waterfront as she lives directly above it. When fueling occurs, she stated she must close her windows due to the fumes. The house windows rattle when the fuel truck comes up Water St. She asked that the Board think of the effect tourists using the jet boats will have on the park and dock and how the quality of life for residents will be affected. Ms. Kaiser stated it is "your" tax dollar that bought that park, not the tourists as she directed her statement to the residents in attendance. She asked if residents wanted more traffic due to the tourist business and also all the chaos.

Tammy Johnston who works in the Village stated it's hard to make a living in the Village and that she supported the idea.

Susan Bull of Main St. stated residents living above the marina "will take the bullet" and although she is not against the regatta, during that weekend, they must stay in their home. Mrs. Bull also referred to river problems on the Canadian side due to the jet boat there and that residents pay taxes, not the tourists.

Dan Bull of Main St. expressed his concerns over environmental issues, the need for an environmental study and that the Niagara River is in an environmentally sensitive area. Deputy Mayor Suitor stated commercial vessels are permitted in the River with no additional approval except possibly the Coast Guard. Mr. Bull stated he will be checking with the Federal government on the matter referring to the Maid of the Mist boats. He also stated people live here because it's quiet and he wants to keep it that way. A brief discussion took place on the size of the marina building and where tourists would gather while waiting for the jet boat. Mr. Bull stated more people are against the plan than for it.

Mayor Reynolds stated there is nothing that the Village Board must approve. Mr. Fox would be running a business from his property. Trustee Adamson stated that if the business meets Village code, then Mr. Fox can do it.

Mrs. Bull asked the Board if they would want to listen to the jet boat noise and noted that Mr. Fox lives at a quiet spot on the river.

Greg Schlaich of Main St. stated he owns a business. He does not have a problem with fumes but does hear the noise. His concern is with the safety of people coming up the hill. Mr. Schlaich also discussed the safety issues of a tree which fell, taking out stairs in the hill area. He stated he did not want a bus going up and down the hill for safety reasons. Trustee Adamson questioned the bus mentioned and stated Mr. Fox did not mention buses in his plan.

Mrs. Bull stated tourists would be bused in and out for the jet boat, but will not stay here to have lunch. She also asked if Water St. could take a constant pounding with traffic. Trustee Adamson affirmed it could. Trustee VanDeusen stated safety would have to be addressed.

Gretchen Duling of Main St. stated she had mixed feelings on the jet boat plan but that our businesses need us to help them out. She referred to Lewiston signing a fifty year lease agreement with the jet boats and stated she admired the Village of Youngstown Board for opening the matter up for discussion. Mrs. Duling stated we must compromise and have open communication with Mr. Fox and wants to see the Village give him a chance and not to be afraid of tourists coming. Mrs. Duling also mentioned past Canadian lighting concerns affecting residents at the north end of Main St., asking where were the south Main St. residents then.

Shawn Weber of Main St. stated he is in support of the Fox project. Mr. Weber told his son about the business and of his son's excitement, stating he had never seen a new business open in the Village in his life.

Timothy Kosto of Lockport St. stated parking will be a problem and asked the Board to consider the density of parking spaces and alternate areas for parking.

Jack Bush of Third St. stated he runs the Sherriff's boat on the river and lake and that rules of the water would be enforced by the Marine Division.

With no further comments from the public, Mayor Reynolds continued the meeting.

Building Inspector Stevens reported a portion of the Cold Storage building had started to collapse and had to be knocked down. Mayor Reynolds stated the situation became a safety issue and had to be dealt with before anyone was hurt. Inspector Stevens reported

there is a building boom going on in the Village with several new homes being constructed.

Police Chief Salada asked for Board approval to hire William Davidson to fill a vacancy when Officer Zimmerman left to work for the Sherriff's Department. Trustee Lockhart motioned to approve Mr. Davidson's hiring, seconded by Trustee Adamson and carried.

DPW Superintendent Muller reported the crew has been cleaning Village streets and replacing water meters. He also reported the need to purchase some larger replacement meters and approximately three pit meters. The larger meters cost an average of \$140 each. Superintendent Muller stated the meters would allow him to complete work for one entire water book. Trustee Adamson stated the DPW crew is installing a light for the basketball court at Lions Park. The light will be tilted away from houses. Engineer Lannon stated he has designed a storm sewer permit and stated he would answer any questions the Board might have regarding the permit.

Attorney Caserta stated he would address items as needed during the meeting.

The minutes of the April 11, 2013 meeting were approved by motion of Trustee Adamson, seconded by Trustee VanDeusen and carried.

CORRESPONDENCE

1. Utility taxes received from Accent Energy-\$10.94, AT&T-\$3.36, Time Warner-\$82.12, Granite Telecom-\$1.34. So moved.

AGENDA

1. The Abstract of Audited Vouchers for period ending April 25, 2013 – General Fund-\$27,303.23, Water Fund-\$18,349.51, Sewer Fund-\$35,931.71 and Trust Agency Fund-\$871.10 was approved by motion of Deputy Mayor Suitor, seconded by Trustee VanDeusen and carried.
2. A resolution to amend the current 2012-2013 fiscal year budget with the transfer of \$43,175. from the Water Fund account F915 Unappropriated Fund Balance, to F231 Special Reserve Water Line Account was made by motion of Trustee Lockhart, seconded by Trustee VanDeusen moved to adoption and duly carried unanimously.
3. A resolution that there be levied and assessed against the real property of the Village of Youngstown the following sum for Village Government for the fiscal year 2013-2014 with a tax rate of \$6.89303 per thousand of assessed valuation-for the General Fund-\$634,665. and for the Mayor be authorized to sign the Tax Warrant was made by motion of Trustee Adamson, seconded by Trustee Lockhart moved to adoption and duly carried unanimously. Trustee Adamson stated the Board was able to keep the budget under the cap which New York State has set. Mayor Reynolds stated this was difficult due to the mandates which the Village has no control over.
4. Authorization for Clerk to transfer funds from the Water Fund owed to the Sewer Fund from water / sewer bill collections in the amount of \$16,852.38 for the period of April 1-17, 2013 was made by motion of Deputy Mayor Suitor, seconded by Trustee Adamson and carried.
5. Notification from the Youngstown Yacht Club of their intention to renew their on-premise liquor license. So noted.
6. Thank you to the Historical Museum for their donation of 50 padded folding chairs for use in the Cora Gushee Room. Mayor Reynolds stated the chairs have been delivered and placed in the room. He has sent a letter of thanks.
7. Tire Collection Day will be held on Saturday, April 27, 2013 at the Village Hall parking lot from 8:00 a.m.-2:00 p.m. and limited to Village and Town residents only. So noted.

8. The next Board meeting is scheduled for May 9, 2013 at 7:00 p.m. So noted.

OLD BUSINESS No old business discussed

NEW BUSINESS No new business discussed.

REPORTS

Trustee Lockhart gave a public thank you to Dave Webb Concrete stating Dave has helped save the Village from paying minimum concrete delivery fees when doing small sidewalk repairs by coordinating concrete delivery for the same time.

Trustee Lockhart reported he has been approached by former resident Tony Collard wanting to purchase surplus marble from light post installation at a cost of \$10. each. The Board approved the sale.

Trustee Lockhart stated stone has been added to spaces at the boat ramp by the DPW crew. He then reported Village Arborist Jeff Tower forwarded a letter regarding a grant covering full cost to inventory Village trees. The inventory would note diseased and insect infested trees as well as be an asset in the event of a natural disaster. The Board agreed to have Mr. Tower pursue the grant.

Referring back to earlier discussion, Trustee Lockhart stated he has lived in the Village since 1978 and has seen the steady decline of businesses. He has checked the Village Zoning Book and Mr. Fox's business plan meets all zoning criteria. Trustee Lockhart stated anything bringing revitalization to the Village is a good thing.

Trustee Adamson stated he is personally in favor of the jet boat venture and that some misleading statements have been made. Trustee Adamson reported he has talked to Village businesses and all are in favor. He then stated if we keep saying no to ideas, there will be nothing in Youngstown.

Trustee Adamson announced the annual Youngstown Business Association Street Dance is scheduled for the last day of school, June 20, 2013. He reported the Recreation Department's Celebrity Bartenders Night benefiting the Nancy Price Scholarship Fund was a success raising \$2,500. Trustee Adamson praised the hard work of the Recreation Commission members noting they are all volunteers raising funds for scholarships for area youth. Mayor Reynolds concurred that the Commission members are hard-working volunteers. Trustee Adamson reported the Lions Park basketball court will be top-coated in an effort to cut costs of a total replacement.

Deputy Mayor Suitor stated he has lived here all his life and can only remember businesses closing, not opening. He noted it will be nice to see something new come into the Village.

Trustee VanDeusen also stated she is in favor of Mr. Fox's venture and it is especially good to see a local resident start a business instead of someone from out of state. Trustee Adamson agreed stating it is good to have a business owner that is transparent.

Building Inspector Stevens stated Mr. Fox grew up on Elliott St. and agreed he has been upfront and transparent with the Board. Mr. Stevens reported he has read the Village Code and the LWRP and things look fine. Trustee Lockhart added there are State regulations regarding fuel storage.

Mayor Reynolds stated Mr. Fox and his brother are with Fox Fence and have helped the Village by shoring up the Cold Storage site, dock and an unsafe lot on Oak St. The Foxes have shown they are willing to work with the Village. Mayor Reynolds stated he originally had concerns when use of public dock space was requested. Because the

Village had repaired the dock and launch, the Mayor stated he didn't want to see restrictions for Village residents. With that request withdrawn, his concerns were eliminated. Mayor Reynolds wished Mr. Fox well with his business.

Donna Huggins asked about the wooden sailboat which Aaron Dey had talked about at the previous Board meeting. Mayor Reynolds reported that no decision has been made yet or docking spot delegated to him. The Mayor reported there will be no marketing advertisements in the public park.

Timothy Kosto stated he has lived in the Village for many years at a time when the docks were crowded. The reputation was ruined because the jet boat destroyed the area. He stated if the jet boat speeds up and down the river, be prepared to deal with problems. Toronto boaters don't come here because of the jet boats.

Donna Huggins stated Canadians are staying in Canada because of border problems and costs associated with boating which people don't have. She also reported that in the past there was a waiting list to be a member of the Youngstown Yacht Club but not now.

Jack Bush suggested some parking spots at the waterfront have two hour limits which would give parking spots to people wanting to park and eat their lunch by the water. Mayor Reynolds stated the Village Board will be looking at parking limits.

Mayor Reynolds reported receiving a letter from the Lewiston Porter Credit Union regarding the possibility of expanding membership and to see if we would like to offer this with possible employee direct deposits. There would be no costs involved for the Village. Trustee VanDeusen stated membership is currently offered only to school employees and their families but the Credit Union, if given authority, they would like to expand membership to municipality employees. She went on to state she is on the Lewiston Porter Credit Union board. The Board agreed to offer the service to Village employees if extending membership is permitted.

Mayor Reynolds stated he has received drawings of the "little library" originally presented at a previous Board meeting. It will look like a boat, keeping with the waterfront theme and would encourage people to read. The Youngstown Free Library will take care of the book placement. Trustee Lockhart motioned to initiate the "little library", seconded by Trustee VanDeusen and carried. Mayor Reynolds then reported he has talked to Superintendent Muller regarding the Library's request for air conditioning in the Library meeting room on the second floor. The room will have air conditioning by summer.

Mayor Reynolds again asked for public comment. Stu Comerford of Lockport St. stated he has lived in Youngstown all his life and his family had a business on Main St. for several years. He stated tourists did support the family business and he is in favor of Mr. Fox's business venture.

Gretchen Duling asked Chief Salada if gun holsters used by the Village Police are locked. She said she was asking in light of the recent Boston Marathon incident and the information presented on the news. Chief Salada affirmed that they are security holsters which are locked so that in the event of a fight, the gun cannot be taken away from an officer. A special locking mechanism releases for gun use.

Mayor Reynolds reported many residents do not know officers on the Youngstown Police force and an informal meet and greet for officers and the public is being planned.

The Mayor stated the Board will be entering into Executive Session to discuss personnel matters following the Board meeting.

With no further business, Trustee Adamson motioned to adjourn the meeting, seconded by Deputy Mayor Suitor and carried. The meeting ended at 8:28 p.m.

The Executive Session began at 8:32 p.m. and during which the Village Board reviewed a request from Police Chief Salada to move the Youngstown Police Department from their

current office at the rear of the Village Hall to the Community Room located in the Village Hall basement. Trustee Adamson motioned to approve the move, seconded by Trustee Lockhart and carried.

The Executive Session ended at 9:10 p.m. by motion of Deputy Mayor Sutor, seconded by Trustee Adamson and carried.

Respectfully submitted,

Barbara J. Castilon
Clerk Treasurer