

## VILLAGE BOARD MEETING – May 23, 2013

Deputy Mayor Sutor called the meeting to order at 8:00 p.m. with the Pledge of Allegiance. Also present were Trustees Lockhart and VanDeusen, DPW Superintendent Muller, Building Inspector Stevens and several interested residents. Mayor Reynolds, Trustee Adamson and Attorney Caserta were in the next room in a negotiation meeting with the Teamsters Union Local 264.

Deputy Mayor Sutor asked for public comment. With no response, the meeting continued with Building Inspector Stevens. Inspector Stevens reported he has had no response from Alan Hastings for work to be performed at his vacant property on Main St. Inspector Stevens stated this non-responsive practice has gone on as far back as the 1990's when Mr. Hastings' father owned and cared the property and which continues today. Inspector Stevens will contact the State regarding the maintenance matter. He went on to discuss mowing issues for properties in foreclosure and vacant lots left uncut. Inspector Stevens has contacted property owners and banks associated with any foreclosures to rectify the overgrown situations. He stated he is getting the DPW out of the mowing business for such properties. Trustee Lockhart stated it is the owner's responsibility to make sure the lots are mowed and that there could be a problem with getting reimbursed by the County if mowing costs must be placed on the non-complying property owner's taxes. He also stated Albany has not yet resolved the "point of contact" issue for foreclosure properties whereby municipalities would be given the bank or other responsible agent's contact information.

Police Chief Salada was absent.

DPW Superintendent Muller reported the Village flags have been put on the poles and hanging baskets will also be hung in the business district. Superintendent Muller also stated work on cable wiring will be done by Time Warner for the Youngstown Police Department as they will be moving their office from the back of the building to the basement community room.

Engineer Lannon was absent.

Attorney Caserta was in another room for union negotiations.

The minutes of the May 9, 2013 meeting were approved by motion Trustee Lockhart, seconded by Trustee VanDeusen and carried.

### **CORRESPONDENCE**

1. Utility taxes received from AT&T-\$3.36, Time Warner Cable-\$85.76 and Granite Telecom-\$1.85. So noted.
2. The Niagara County used battery collection program has been discontinued by the County and residents are advised to dispose of batteries with their regular garbage. So noted.

### **AGENDA**

1. The Abstract of Audited Vouchers for period ending May 23, 2013 – General Fund-\$34,526.27, Water Fund-\$991.95, Sewer Fund-\$833.12 and Trust Agency-\$2,489.28 was approved by motion of Trustee Lockhart, seconded by Trustee VanDeusen and carried.
2. A Resolution to amend the fiscal year 2012-2013 budget for over payment of taxes resulting when resident joined two parcels of land into one; SBL #59.10-1-18.1 was made by motion of Trustee Adamson, seconded by Trustee VanDeusen and carried. Authorization of refund to resident was approved at May 9, 2013 Board meeting.

3. Update on water shut-off for non-payment of water bills. The Board agreed to wait for Attorney Caserta's review before making a decision on the matter.
4. Annual request of financial support from Village of Lewiston for fireworks display on July 4<sup>th</sup>. For the past several years, we have contributed \$500. Trustee Lockhart motioned to continue the support of the fireworks with a \$500. contribution, seconded by Trustee VanDeusen and carried.
5. Insurance quotes received from Lewiston Insurance Agency for \$29,865.23 and from First Niagara for 29,149.29. Authorization for Mayor to sign the insurance voucher/binder for fiscal year 2013-2014. Trustee Lockhart motioned to accept the quote from Lewiston Insurance Agency inasmuch as they have a history with providing insurance to the Village for many years, seconded by Trustee VanDeusen and carried.
6. Authorization of year end transfers: Appropriations A5142.2 Snow Removal Capital-\$3,000. and A7620.2 Aging Capital-\$8,000. to A231.a Capital Reserve Street Equipment account, appropriation F9950.0 Transfer to Capital Projects Fund-\$7,500. to F231 Water Special Reserve account and appropriations G8120.2 Sanitary Sewer Capital Expense \$10,500. and G8120.4b LWPC Independent Membership Fund-\$7,500. to G201 Sewer Savings account. Trustee VanDeusen motioned to approve the year end transferred as listed, seconded by Trustee Lockhart and carried.
7. Authorization for transfer of appropriations from General, Water and Sewer Fund to offset any overspent line items at fiscal year-end was approved by motion of Trustee VanDeusen, seconded by Trustee Lockhart and carried.
8. Resolution to authorize the collection of taxes: Take notice that the Clerk Treasurer of the Village of Youngstown, New York has received the tax roll and warrant for the collection of taxes for the 2013-2014 fiscal year and that taxes will be collected as follows: AT THE VILLAGE OFFICE, 240 LOCKPORT ST., YOUNGSTOWN, NEW YORK, ON EACH MONDAY THROUGH THURSDAY 8:00 A.M. TO 4:00 P.M. AND FRIDAY FROM 8:00 A.M. TO 3:30 P.M. FROM JUNE 3 THROUGH JULY 1, 2013. DURING THE PERIOD OF June 1 through July 1, taxes may be paid without additional charges. TAKE FURTHER NOTICE, that on all such taxes remaining UNPAID after July 1, 2013, five per centum (5%) will be added thereafter. Any unpaid taxes as of the close of business on October 31, 2013 will be turned over to Niagara County for collection. The resolution was approved by motion of Trustee VanDeusen, seconded by Trustee Lockhart and carried.
9. Authorization for the Mayor to sign the agreement between the Town of Porter and the Village of Youngstown in consideration of the Village providing and maintain various facilities and programs that are available to the citizens of the Town of Porter and known as the Waste Tax Agreement in the amount of \$20,000. per year was approved by motion of Trustee VanDeusen, seconded by Trustee Lockhart and carried.
10. Authorization for the Mayor to sign the Lewiston Water Pollution Control Center sewer agreement. Trustee Lockhart suggested the item should be tabled until the next meeting allowing Attorney Caserta time to review the agreement. The Board agreed.
11. Authorization for the Mayor to sign the auditing contract agreement with Brown and Company was approved by motion of Trustee VanDeusen, seconded by Trustee Lockhart and carried.
12. Memorial Day observance ceremony will be held on Monday, May 27, 2013 at Fort Niagara cemetery at 11:00 a.m. So noted.
13. The Organizational Meeting is scheduled for June 13, 2013 at 7:00 p.m. So noted.

## **OLD BUSINESS**

No old business was discussed.

## **NEW BUSINESS**

No new business as discussed.

## **REPORTS**

Deputy Mayor Sutor advised the Board of a Boy Scout who wishes to do repairs and waterproof the waterfront stairs as well as trim foliage for his Eagle Scout project. The Scout will provide plans for the Board's review as well as provide supplies and manpower.

Mayor Reynolds, Trustee Adamson and Attorney Caserta joined the meeting in progress at 8:35 p.m.

Deputy Mayor Sutor again asked for public comment. Debbie Comerford, president of the Lion's Club stated a request to sell white canes at the corner of Main and Lockport Sts. during the weekend of June 15<sup>th</sup> and 16<sup>th</sup> had been questioned. Mayor Reynolds stated he has learned it is not legal to do fund raising in the street. Mrs. Comerford advised the Board that if they are not allowed to do street fund raising, the Club will suffer the financial ability to help the community and must find other means of fund raising. Mayor Reynolds stated that now that he has been made aware of the unlawful means of fundraising, he cannot grant collection permission. Mrs. Comerford stated Lion's Club International has a two million dollar liability insurance policy for such occasions. Deputy Mayor Sutor stated that because the activity is against State law, the Board cannot grant permission. Trustee VanDeusen stated there was nothing personal in the decision, only one of safety and to follow State law. When asked by Stu Comerford, also of the Lion's Club if other organizations will be notified of this law, Mayor Reynolds stated if any others ask for the same permission, they too will not be granted permission to fund raise in the street.

Jack Bush of Third St. addressed the Board with a suggestion of two hour parking for non-handicapped parking on Water St.

Trustee VanDeusen discussed the pursuit to purchase the vacant lot on Main and Lockport Sts. questioning why Greenway funds may be used to build a recreational facility with money allocated to the Town of Lewiston and yet the Village of Youngstown must go "hat in hand" to ask for funds from Greenway recipients. She stated a waterfront project made more sense to her as a Greenway project.

Trustee VanDeusen also reported there will be an RRG meeting on Friday, May 24<sup>th</sup> regarding CWM expansion. She then announced a meeting of LOOW / RAB at which the findings of the Army Corp of Engineers will be discussed.

Trustee Lockhart discussed the auto accident on Main & Church Sts. and how to go about recovering the Village losses for the damaged guardrail, etc. He also discussed parking on Water St. suggesting more handicap spots and no overnight parking. Trustee Lockhart suggested the review of Village document disposal. Other items of discussion by Trustee Lockhart were an evacuation plan meeting sponsored by Niagara County which updates its evacuation data every five years. A draft for drainage codes will be given to Attorney Caserta for review and stated Village Code needs updating. Trustee Lockhart will review the costs to join the Niagara County Water District for lower water rates for the Village of Youngstown. He then thanked the Garden Club and Peace Garden Committee for their hard work to beautify the Village gardens and Peace Garden area in Falkner Park.

Trustee Adamson announced the Youngstown Street Dance sponsored by the Youngstown Business and Professional Association will be held on Thursday, June 20, 2013 from 6:00 p.m. – 10:00 p.m. YBPA president Cheryl Butera was not in attendance but asked for extra Police coverage during the event. In the event of rain, the event will be held in the Village Center gym.

Trustee Adamson reported he has received complaints regarding several homes/properties in foreclosure and in need of mowing. He suggested a list be made and presented to the banks requesting the grass be cut at such properties. He stated it's not fair to the neighboring residents to have to look at these unkempt properties.

Trustee Adamson discussed the public parking lot at the South Dock which is currently gravel and suggested it be paved. He stated his concerns regarding the ramp which he suggested should be addressed before paving and added that funds are available for such work.

Mayor Reynolds stated the Board would go into Executive Session following the Board meeting to discuss personnel matters. With no further business, Trustee Lockhart motioned to adjourn the meeting and go into Executive Session, seconded by Trustee VanDeusen and carried. The meeting ended at 8:45 p.m.

Respectfully submitted,

Barbara J. Castilon  
Clerk Treasurer

In Executive Session, Deputy Mayor Sutor motioned to return to regular session at 9:03 p.m. In regular session, Trustee Adamson motioned to accept the terms of agreement with the Village and the members of the Teamsters Local 264, seconded by Trustee Lockhart and carried.

Deputy Mayor Sutor then motioned to adjourn the meeting, seconded by Trustee Adamson and carried. The meeting ended at 9:05 p.m.