

VILLAGE BOARD MEETING – MARCH 13, 2014

Mayor Reynolds called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Also present were Deputy Mayor Lockhart, Trustees Adamson, Sutor and VanDeusen, Attorney Caserta, DPW Superintendent Muller, Building Inspector Stevens, several residents and two Lew-Port students. The Mayor then thanked Superintendent Muller and his crew for the snow clean-up during the blizzard yesterday.

Mayor Reynolds then asked for public comment. Arthur (Bob) Winslow of Second St. said he would be reading from his notes regarding the Dollar General stores being interested in opening a store at the corner of Lockport and Second Sts., and their need for two lots, one of which Mr. Winslow stated he owns. He stated that he learned in February the offer was withdrawn to purchase the property and he stands to lose from the withdrawal. Mr. Winslow read portions of the minutes of the February Board meetings stating no vote was taken and no recommendations came from the Planning Board. He then asked for Attorney Caserta's comments. Attorney Caserta stated a very preliminary inquiry was made by the perspective developers and no application was made. Deputy Mayor Lockhart stated it was very informal with the Board being asked what they thought and the Board thinking it would bring something new to the Village. Deputy Mayor Lockhart reported that independently, three Board members visited three different Dollar General Stores and found it would bring nothing new. He stated there was food and over the counter drug items which the Village already has. Mr. Winslow stated the store does have dry goods. Deputy Mayor Lockhart stated it was nothing new to the Village though. Trustee VanDeusen addressed Mr. Winslow's concerns of the Board not wanting competition for the existing stores stating that was not the intent and that we need competition. Trustee Sutor stated that nothing was said that Dollar General couldn't come here and that it just wasn't a fit for the Village. No application was ever brought in by Dollar General. Mayor Reynolds stated the Board was asked for their opinion and it was given when first asked. Mayor Reynolds visited the Lewiston store, Trustee VanDeusen visited a Niagara Falls store and Deputy Mayor Lockhart visited the Wilson store. After the visits, the Board changed their minds. Trustee VanDeusen stated no blocks were put in Dollar General's way. Mr. Winslow stated he thought there was no malice in the Board's decision and then asked the Mayor what he said to the developer. Mayor Reynolds stated the store would not be bringing a diversity of new things to the Village but things we already have. Mr. Winslow referenced competition and a tax loss if Dollar General doesn't come to the Village. He also stated his wife shops at Tops, Wegmans and WalMart and that he uses CVS Pharmacy instead of Rite Aid after problems he encountered when using his health insurance at Rite Aid. Trustee Sutor stated that in good conscience, he wouldn't stop Dollar General from coming to Youngstown but wouldn't say that he wants them either. Trustee Adamson stated any entrepreneur has the right to come in and fill out an application and Deputy Mayor Lockhart discussed how the application would take place. Trustee Adamson advised Mr. Winslow that the first step would be a building application be filed with Building Inspector Stevens. Deborah Winslow-Schuber of Brookshire Rd. also questioned the Board regarding the matter of Dollar General. Deputy Mayor Lockhart stated the Board was asked for their opinion and that the Board did not say no to Dollar General coming to the Village, only that the store would not bring anything new to the Village. He then stated, Dollar General can still make application to build. Lori Adamson of Church St. questioned where would we be if Melloni's pulled out of the Village. Building Inspector Stevens stated Dollar General is free to fill out a building application. Mr. Winslow continued to question the Board changing their minds regarding Dollar General. Trustee Sutor asked if he had ever changed his mind. Mr. Winslow responded affirmatively. Trustee Sutor stated no binding decision was made as the Board was only asked for their personal opinions. Trustee Sutor went on to say that the Board cannot stop Dollar General as long as they follow the Village guidelines. Ms. Winslow-Schuber stated she had not heard why it wouldn't be a good idea for Dollar General to build in Youngstown. Trustee Sutor stated he can only give his opinion of a big cinder block building on the corner but as long as it is built within code, the Board of Trustees never sees or approves it. Trustee Adamson added the Planning and Zoning Boards do a good job in keeping

with the codes. Richard Hellert of Pratt Lane in Lyndonville, NY and who works for Whipple Realty stated this is a quant community and he and Dollar General recognize that. Mr. Hellert stated he had approached Mr. Winslow regarding the sale of his property on Second St. behind the proposed store site. He also stated he has no tie to Dollar General and only goes out to find areas for stores to be built. He then stated the Board's decision went from positive to negative thus turning Dollar General away and also stated it was not the products but the competition the Board considered. Mr. Winslow stated the Village had a number of grocery stores years ago and then asked the Board to make a motion, which he had prepared in support of Dollar General. Trustee Adamson again stated that Dollar General never came in with an application but they can if they so choose. Mr. Hellert stated the Board's opinions were discouraging and stated Dollar General doesn't have the class that you want, referencing Youngstown and Lewiston as being affluent. Deputy Mayor Lockhart stated he took exception to Mr. Hellert's statement. Jack Bush of Third St. stated he wanted to hear the Board's opinion and not Attorney Caserta's. Trustee VanDeusen stated the Board had hoped Dollar General would bring something that would draw people to Youngstown. She added that she had spoken to residents of the Village that were against Dollar General coming in. Mayor Reynolds stated that Dollar General has to follow all Village codes and that the Board does not get involved. The Mayor said the conversation was going in circles. Trustee Adamson told Mr. Heffert to have Dollar General apply to build, no one was stopping them. Mayor Reynolds again stated the discussion was going in circles and declared the meeting continue on.

Building Inspector Stevens stated he has submitted his monthly report for February. One permit was issued for work valued at \$65,000. and a fee of \$175. was collected.

Police Chief Salada was absent but submitted his monthly report. 168 patrol hours were worked, 857 patrol miles logged, 11 Village calls, 7 Town of Porter calls, 10 calls outside the Village, 18 UTT's issued, 4 parking tickets issued and 4 arrests made.

DPW Superintendent Muller stated the crew has worked on snow removal following the snow storm and submitted his monthly report. 53 overtime hours were worked.

Engineer Lannon was absent.

Attorney Caserta reported he has discussed the sewer contract with the Town of Porter attorney and is still awaiting requested information from him.

The minutes of the February 27, 2014 Board meeting were approved by motion of Trustee Adamson, seconded by Trustee VanDeusen and carried.

CORRESPONDENCE

1. Reminder of upcoming Youngstown Business and Professional Association's 3rd annual St. Patrick's Day Parade on Saturday, March 15, 2014 beginning promptly at noon. The parade will begin at the corner of Hinman and Main Sts. and end at "The Jug" on Main and Lockport Sts. The event will take place, rain or shine. So noted.
2. Reminder of the upcoming dedication of the Betsy Doyle historical marker to take place on Saturday, March 22, 2014 at 10:00 a.m., rain or shine, at Falkner Park. A brief reception will follow at "The Jug". So noted.
3. Niagara County Industrial Development Agency will host "Understanding Payment-in-Lieu-of-Tax (PILOT) Agreements" on Thursday, March 20th from 9:30-10:30 a.m. RSVP by March 14, 2014. So noted.

AGENDA

1. The Abstract of Audited Vouchers for period ending March 13, 2014 – General Fund-\$43,421.35, Water Fund-\$1,205.00 and Sewer Fund-\$3,099.70 was approved by motion of Trustee Adamson, seconded by Deputy Mayor Lockhart and carried.
2. Election Resolution: WHEREAS Section 15-104(3) of the Election Law of the State of New York requires the Village of Youngstown to hold its general election on the third Tuesday in May, and WHEREAS the office of Mayor is to be filled for a four year term and offices of two Trustees are to be filled for four year terms each: NOW THEREFORE BE IT RESOLVED THAT first: The annual election of and for the Village of Youngstown, New York will be held in said Village at the Village Center gymnasium, 240 Lockport St. on the 20th day of May 2014. SECOND: The polls shall be open between the hours of noon and nine o'clock in the evening. THIRD: At such election the following offices shall be filled for the terms as set forth:
Mayor 4 years
Trustee 4 years
Trustee 4 years
FOURTH: At least ten (10) days prior to the Election Day set in this resolution, a copy of such resolution shall be published in the official newspaper and a copy be posted in at least six (6) conspicuous places in said Village. FIFTH: This resolution shall take effect immediately. Deputy Mayor Lockhart motioned to approve the election resolution as printed on the agenda, seconded by Trustee VanDeusen and carried.
3. Approval needed to have 4 election inspectors, 2 Democrat and 2 Republican and a machine custodian for the May 20, 2014 election as well as setting their rate of pay. The rate of pay during the 2012 election was \$7.50 per hour. Currently minimum wage is \$8.00 per hour. Trustee Adamson motioned to approve the aforementioned election inspectors and custodian with a pay rate of \$8.00 per hour seconded by Deputy Mayor Lockhart and carried.
4. Approval of monthly budget sheets, revenues and appropriation reports for the General, Water, Sewer and Trust Agency for the period ending February 28, 2014 was made by motion of Trustee VanDeusen, seconded by Trustee Adamson and carried.
5. Authorization of transfer of appropriations for 2013-2014 General Fund budget in the amount of \$27,256.00 was made by motion of Trustee Adamson, seconded Trustee Suitor and carried.
6. Authorization for Clerk or Deputy Clerk to attend the Niagara County Municipal Clerk's meeting on March 20, 2014 was made by motion of Trustee Suitor, seconded by Deputy Mayor Lockhart and carried.
7. The next Board meeting is scheduled for March 27, 2014 at 7:00 p.m. So noted.

OLD BUSINESS

Trustee Adamson clarified a question he had regarding the Village's contract with Modern and monetary reimbursement for recycling. The reimbursement is given only when using the large 65 or 95 gallon recycling carts. The approximate \$900. reimbursement is minimal in comparison to the \$30,000.+ cost to purchase carts for the entire Village.

NEW BUSINESS

No new business was discussed.

REPORTS

Deputy Mayor Lockhart reported that during a recent budget meeting, the need for a pump was discussed. He then motioned to purchase a new 2" Godwin pump in the current year from expense account number F8310.4 and not to exceed \$1,950.00,

seconded by Trustee VanDeusen and carried. Deputy Mayor Lockhart also motioned to purchase 35 water meters in the current fiscal year, seconded by Trustee Sutor and carried.

Mayor Reynolds reported he is officially dissolving the tourism committee which worked on the 1812-1813 commemoration events now that the year of events is over. He also stated another group is planning to form for tourism matters.

Trustee Sutor reported new computer equipment for the Clerk's office will be installed the week of April 14th.

Trustee Adamson reported that this year the St. Patrick's Day parade will include 8 Irish dancers and bagpipers. The Buffalo News and Sentinel have featured stories of the event. He also reported the Community Picnic is set for August 9 and the Great Contraption Race will be held on August 2, 2014.

Mayor Reynolds asked for public comment again. Hearing none, Deputy Mayor Lockhart motioned to adjourn the meeting, seconded by Trustee Sutor and carried. The meeting ended at 8:10 p.m.

Respectfully submitted,

Barbara J. Castilon
Clerk Treasurer