

VILLAGE BOARD MEETING –July 17, 2014

Mayor Reynolds called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. He asked that all cell phones be silenced. Also present were Deputy Mayor Lockhart, Trustees Adamson, Comerford and Sutor, Attorney Caserta, Police Lt. Schuey, Building Inspector Stevens, Engineer Lannon and several residents and interested individuals.

Mayor Reynolds announced two points of interest, one being Route 93 in the Village will be known as Youngstown Veterans of Foreign Wars Memorial Highway with State Senator Maziarz and Assemblyman Ryan working with the Youngstown VFW Post 313 to make the designation. The Mayor stated the Village will recognize the name designation but this will not change the name for residents who live on the street in regard to their mailing address. Deputy Mayor Lockhart then reported on a section of Church St. /Blairville Rd. that has been dedicated to Marine Corp Sargent Major Michael Barrett who grew up in Youngstown, joined the Marine Corp and achieved the highest rank of an enlisted Marine. At the ceremony he was honored with accolades from many local officials. Sargent Major Barrett presented the Village with a commemorative knife which will be appropriately displayed.

Mike Fox of Niagara Jet Adventures presented the Board with a letter of proposal to use the North Dock and the building on site. He also reported on the intent to expand the jet boat run to go from Youngstown to Niagara Falls, putting Youngstown back on the map.

The Mayor then asked for public comment. Stephen Bowen of 550 Main St. asked about the status of his request after the Village arborist determined two large chestnut trees in front of his home and on Village property are dead. Deputy Mayor Lockhart stated he would get in touch with DPW Superintendent Muller regarding the matter.

Paul Jackson, president of the Niagara River Anglers Association stated he has talked to Mr. Fox regarding his use of the North Dock and building and his operation will not interrupt the pens which the Anglers have in place.

Dick Roach of 895 River Rd. stated he has talked to Trustee Adamson and advised to submit his concerns regarding the river speed limits in writing. Mr. Roach submitted a petition signed by 12 residents requesting a year round speed limit instead of that stated in the Village Code of May 1-November 1 of each year for the sake of property value issues as well as for the safety of anyone near a wake. Kim Cannon of 905 River Rd. stated she sees the dangers of the wakes every day and referenced an incident she had with a wake and from which she was taken to the hospital. Don Burns of 879 River Rd. stated he agreed with the two previous speakers and stated concerns of shore erosion. Melanie Tisdale, a member of the Youngstown Yacht Club expressed her concerns of an on and off again law, stating a consistent speed limit would help all concerned. Bob Reese of RCR Yachts reported one of his workers was injured due to wake issues and is still not back to work. Fred Braun of 925 River Rd. also stated he agreed with the aforementioned speakers, expressing safety concerns and suggested jet boat operators not taking the same path each time as well as issues with their speed. Pauline Kaiser of 535 Main St. stated concerns of gale winds being factored into the problem and that commercial vehicles should follow the same safety rules. Paul Jackson discussed concerns from the Canadian jet boat operations. He also expressed concerns in making a 12 month speed limit and its effect on charter fishing captains. Melanie Tisdale suggested maintaining the speed until out of the Village limits as to not be forced to go toward the Canadian side. Dick Roach stated the new jet boat goes closer to shore and that fishermen go out further than the jet boat, then adding, the bigger the boat, the bigger the wave/wake. Mayor Reynolds stated the Board is concerned for the safety of residents as well as others using the river and that the Board will review the matter. He then thanked everyone for their comments and asked for any other public comment. Aaron Dey of A River Runs Through It questioned defining a wake height and who has the authority to regulate laws in this regard. He also stated many residents were against the jet boats from the beginning and added that all boats create a wake. A discussion ensued

between some in attendance at which time Mayor Reynolds intervened to get back to the meeting at hand.

Building Inspector Stevens submitted his monthly report for June. 18 permits were issued for work valued at \$92,300. and \$700. in fees collected. Deputy Mayor Lockhart stated the Building Inspector's job is a part time position but as of late, he has been putting in full time hours. He then thanked Mr. Stevens for his efforts.

Police Lt. Schuey reported meeting with the Youngstown Yacht Club for their upcoming CanAm Regatta. The monthly Police report was submitted for June. 208 patrol hours were worked, 876 patrol miles logged, 18 Village calls, 11 Town of Porter calls, 15 calls outside the Village, 5 UTT's were issued, and 1 arrest was made.

DPW Superintendent Muller was absent. No monthly report was submitted. Garbage tonnage for May was 74.88 tons and for June, 54.04 tons.

Engineer Lannon submitted his monthly report and stated he will meet with National Grid next week regarding moving an electric pole on Water St. He also updated the Board on the developer who is interested in moving forward with the Oak / Elm St. subdivision. It was learned that the project must comply with I & I offsets per the New York State DEC. Mr. Lannon reported he is also tracking down a grant after discussions with Renee Parson of New York Dept. of State.

Attorney Caserta reported Dave Pawlak will meet with the Town of Porter Assessor next Tuesday in regard to his financing and zoning of the Cold Storage site. Attorney Caserta also reported on a possible meeting next Tuesday with the Town of Porter regarding an ongoing sewer issue where the Village does not believe the billing formula is correct. The Village believes the Town owes them money due to unfair calculations. Deputy Mayor Lockhart stated the Village shares pump stations with the Town of Porter. The Village will cover its fair share of O&M. The Town's figures are greatly elevated. The matter dates back for quite some time with the Village questioning billing in 2008. The Deputy Mayor reported talking with the Town of Porter in 2012. In March of 2013 the Village met with the Town but results were fruitless. He also stated the Village has started withholding O&M costs but have paid capital improvement costs. Deputy Mayor Lockhart stated he is confident his figures are correct and that they similarly matched those of the Town Highway Supervisor. The Village is to the point of having the Village Attorney prepare papers to proceed. Mayor Reynolds stated the Village has not changed their stand on the situations and have tried on multiple occasions to meet with the Town of Porter to no avail. The game playing must end. The Village is ready to move on to the next step if they won't come to the table to talk.

The minutes of the June 12, 2014 meeting were approved by motion of Trustee Suitor, seconded by Trustee Adamson and carried.

CORRESPONDENCE

1. Utility taxes received from Vonage-\$5.81, Time Warner Cable-\$88.41, Noble Americas-\$12.20, Verizon-\$1,216.58, Niagara Mohawk-\$2,772.03, National Fuel-\$2,997.70, Niagara County Mortgage Tax for June-\$8,303.34 down \$1,897.44 from the same time period last year and Niagara County Sales Tax for May-\$30,876.12 up \$810.01 from the same time period last year. So noted
2. The Youngstown Community Picnic will be held on Saturday, August 9th from noon to 4:00 p.m. with the fishing derby to be held prior to the picnic from 8:00 a.m.-noon. So noted.
3. The Great Contraption Race will be held on Saturday, August 2 at Veteran's Park to benefit the "It Happened to Alexa Foundation". So noted. Mayor Reynolds added that the race will take place in the river starting in Lewiston and ending in Youngstown with a post-race party to follow at Vet's Park.

AGENDA

1. The Abstract of Audited Vouchers for period ending June 30, 2014-General Fund-\$83,038.42, Water Fund-\$5,143.88, Sewer Fund-\$50,525.79 and Trust Agency-\$1,150. and for period ending July 17, 2014-General Fund-\$53,932.91, Water Fund-\$40,794.76, Sewer Fund-\$16,331.89 and Trust Agency-\$1,971.16 were approved by motion of Trustee Adamson, seconded by Trustee Comerford and carried.
2. The Friends of the Youngstown Free Library request permission to hold a bake sale during the August 22, 2014 concert at Falkner Park. Mayor Reynolds stated the group had held a fundraising bake sale at one of last year's concerts. Deputy Mayor Lockhart motioned to approve the request, seconded by Trustee Suitor and carried.
3. Petition from River Rd. / Main St. residents requesting Chapter 79 of the Village Code book be changed to impose a year-round speed limit in the river. The issue was addressed during the public portion of the meeting. See minutes above.
4. A request from the Youngstown Yacht Club Junior Sailing to use the North Dock property for camping from the evening of July 21-July 23 was approved by motion of Deputy Mayor Lockhart, seconded by Trustee Adamson. A brief discussion took place regarding proof of liability insurance. The Deputy Mayor amended his motion to require a signed agreement between the Village and the Youngstown Yacht Club and that the Yacht Club provides proof of insurance. The motion was seconded by Trustee Adamson and carried with one abstention from Trustee Suitor. Attorney Caserta will draft the agreement.
5. Resolution for Shared Cooperative Insurance Initiative for Niagara County municipalities. Mayor Reynolds briefly explained the resolution stating there is no cost to the Village. Deputy Mayor Lockhart motioned to participate in the Initiative, seconded by Trustee Comerford and carried. The Mayor asked that the resolution be entered into the minutes. (see copy attached)
6. The next Board meeting is scheduled for August 14, 2014 at 7:00 p.m. So noted.

OLD BUSINESS

No old business discussed.

NEW BUSINESS

A discussion took place regarding Mr. Fox's proposal. Deputy Mayor Lockhart motioned to accept the Fox proposal. Trustee Comerford questioned the five year lease and suggested the term be shortened. Trustee Adamson suggested a two year trial with a five year renewal option. Trustee Suitor had questions regarding the Youngstown Yacht Club roadway. Bob Reese of RCR Yachts asked that the Board delay approval until he learns more about the matter. Mayor Reynolds stated a suggestion to have a two year lease option with a five year option to renew is on the table. Deputy Mayor Lockhart stated he would like to rescind his motion and make a new motion to approve a two year lease with a five year option to renew the lease as long as Mr. Fox does not need to use the roadway. The motion was seconded by Trustee Adamson and carried with one abstention from Trustee Suitor. Attorney Caserta will draft the agreement.

Deputy Mayor Lockhart stated hunting in the Village had been discussed at a previous Board meeting and wants to look into the matter with Attorney Caserta. A public hearing would be held regarding the issue. Trustee Adamson motioned to set a public hearing for hunting on August 14, 2014, seconded by Deputy Mayor Lockhart and carried.

Trustee Adamson reported that Janice and Jack Bush and Tracy Lloyd tilled the ground and planted flowers around the park pavilion at Falkner Park. He then thanked them for all their work in making the park look even nicer.

REPORTS

Trustee Adamson reported the street dance went very well. The Youngstown Business Association wanted to thank the Youngstown Police, the Dory for doing crafts with the children, the Youngstown Lion's Club, Ashker's for the free ice cream of which over 800 servings were distributed and all the businesses for their help and support. Trustee Adamson also reported that the car show which was new this year was also a success.

Trustee Comerford reported the Lion's Club provided free popcorn and participated in the ice cream donation during the dance. Over \$600. in monetary donations were collected for the Neil Riordan Scholarship Fund.

Trustee Adamson also reported he has ordered the tents from the rental company for the upcoming community picnic and the food has been ordered at Melloni's. Ice cream will be provided by the Youngstown Business Association.

Trustee Suitor suggested to the Board that the financial audit conducted by Brown and Associates be placed on the Village website for public review. The Board thought the suggestion was a good idea. Trustee Suitor will place the information on the site. The computer updates are near completion.

Trustee Comerford reported the Elm St. yards mentioned at the previous Board meeting have been maintained. He also reported Eva Nichols of the Lewiston Council of the Arts would like to get involved with upcoming Youngstown events.

Deputy Mayor Lockhart stated he and Mayor Reynolds have been attending Niagara County mitigation plan meetings which require attendance and hazards to be identified in order to get aid. Paving will begin on Second St. and Brookshire Rd. New signage will be placed on Water St. for pedestrian traffic as well as a "wrong way" sign. He also reported working on drainage issues.

Mayor Reynolds opened the floor to the public again. Dottie Riordan of Second St. reported this is the 13th year for the concerts in Falkner Park. She stated the restrooms were not opened for a previous concert. Trustee Adamson will make sure the restrooms are opened for future concerts.

Mayor Reynolds announced the Board will enter into Executive Session following the Board meeting to discuss personnel matters.

With no further business, Trustee Suitor motioned to adjourn the meeting, seconded by Trustee Adamson and carried. The meeting ended at 8:28 p.m. and the Board went into Executive Session. The Executive Session ended at 9:15 p.m.

Respectfully submitted,

Barbara J. Castilon
Clerk Treasurer

