

## VILLAGE BOARD MEETING –JANUARY 22, 2015

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, Comerford and Sutor, Attorney Caserta, DPW Superintendent Muller, Building Inspector Stevens, Village Engineer Lannon and several interest residents. He asked that cell phones be silenced during the meeting. Bernie Rotella, grant writer for the Village came into the meeting after its start.

The Mayor then asked for a moment of silence for the passing of former Mayor, Dennis Greene this week. Mr. Greene served as a Village Trustee from 1965-1969 and Mayor from 1969-1971.

Mayor Reynolds asked for public comment. Art Hannah of Campbell St. asked if a traffic study had been done in regard to the proposed Cold Storage plan to build apartments. The Mayor stated it is addressed in the SEQR form. Dick Lucas of Second St. asked if it was an independent study and Mayor Reynolds confirmed it was.

Matthew Deering of 407 Brookshire Rd. stated that approximately one year ago he had asked to purchase the paper street located between 385 and 407 Brookshire Rd. but has had no reply to his request. He reported the paper street had been offered years ago to previous adjacent homeowners who did not wish to purchase it due to the upkeep involved. Mayor Reynolds stated there were questions which involved the Church behind the property and drainage issues which still remain and the need for the Village to have access to the area.

Judy Hannah of Campbell St. expressed concerns of the market value study, rents and the ability to keep it rented. Mayor Reynolds stated the developer did the market study and would not put money into the project if it couldn't be rented. Trustee Sutor stated a previous management group also did a market study which concurs with this developer. Dick Lucas asked who did the study. Trustee Sutor stated he did not remember the name but it is in the records in the Village Office. Mr. Lucas expressed concerns of fire at the proposed site, referring to a fire 15 years ago near the fire hall and questioned the building materials to be used. Developer David Burke stated the complex will be built to New York State standard<sup>2</sup> and will have hydrants, firewalls and sprinklers. Judy Hannah asked if this was a done deal. Mayor Reynolds stated the Board is looking at approving the preliminary site plan per the recommendation of the Village Planning Board and the project must be up to code. A discussion continued regarding traffic, taxes, building single family homes instead of apartments and tearing the Cold Storage building down for a park area. Trustee Adamson stated other builders have shown interest but did not follow through. He also reported the Cold Storage demolition would cost the Village a minimum of \$150,000.00, the Village will soon start to get tax revenue, no builder came forward wanting to build single family homes and Nancy Price Dr. can handle the traffic from the apartments. Mr. Lucas asked the selling price of the Cold Storage site. Trustee Adamson stated it will be sold for \$1.00 plus the demolition cost of approximately \$150,000.00. He also stated that Mr. Lucas had purchase land from the Village for \$1.00. Mrs. Hannah asked when construction would begin. Mr. Burke stated that after the site plan approval, sewer and SEQR matters will be addressed, then application is made for a building permit and when it is approved, construction can begin. Another discussion then took place regarding the infrastructure and ability to handle the apartments. Deputy Mayor Lockhart stated the sanitary sewers on Elliott St. are capable of handling the 32 apartment units giving capacity details and information that is submitted to the Town of Lewiston Water Pollution Control Center. Building Inspector Stevens also stated the project will meet all New York State Codes. Mrs. Hannah asked if the units don't rent and the current owner decides to sell, would it become subsidized housing. Attorney Caserta stated Mr. Burke must own the property for two years and referred to the IDA

abatement. Mr. Burke reported his market rate of occupancy is 90% and that he is not in the market for public housing. Handicapped units were also discussed. The Mayor was asked if the Village is the lead agency for the project in regard to SEQR and Mayor Reynolds confirmed it is. Mrs. Hannah asked about the breakdown of units. Mr. Burke stated there will be 24 two bedroom units and 8 one bedroom units. Mayor Reynolds asked for any other comments. Hearing none, he continued with the meeting.

Building Inspector Stevens had nothing to report.

Police Chief Salada was absent.

DPW Superintendent Muller reported a water line break occurred on Sunday night at 11:00 p.m. with work continuing until 7:00 a.m. Monday morning. The crew has been working on wiring in the Village Hall and insulation in the gym. Garbage tonnage for the month of December was 48.74.

Engineer Lannon gave a copy of his monthly report to the Board. A decision should be forthcoming on or about February 2<sup>nd</sup> regarding the pole relocation on Water St. He also reported the LWRP committee has met this past week and the next meeting is scheduled for March. Communication continues with the developer interested in the Oak and Elm development area.

Attorney Caserta had nothing to report but will address items as they appear in the meeting.

The minutes of the January 8, 2015 Board meeting were approved by motion of Trustee Suitor, seconded by Trustee Comerford and carried.

### **CORRESPONDENCE**

1. Utility taxes received from Accent Energy-\$5.47, Choice One Communications-\$11.96, Matrix Telecom-\$13.97, Birch Communications-\$6.33, Time Warner Cable-\$87.99 and AT&T-\$2.36. So noted.
2. Recognition from the Niagara 1812 Legacy Council for Youngstown's participation in the 200<sup>th</sup> commemoration of the War of 1812. So noted. Mayor Reynolds reported Gretchen and Dennis Duling attended the ceremony at the Buffalo Historical Museum. Forty organizations were honored with the Village of Youngstown being the only Village to be recognized for their commemorative event which had 650 local school children involved.

### **AGENDA**

1. The Abstract of Audited Vouchers for period ending January 22, 2015-General Fund-\$57,299.82, Water Fund-\$1,444.57, Sewer Fund-\$540.45 and Trust Agency-\$29.94 was approved by motion of Trustee Adamson, seconded by Deputy Mayor Lockhart and carried.
2. Nick Conde request. Mr. Conde advised the Board that he does parties at the Lewiston Red Brick School which features a bounce house and asked permission to do the same in the Village Hall gym. He stated he has insurance and has had a facility use contract since 2002, doing 2-3 parties per weekend. Mr. Conde advised the Board that he is on premise during the parties, cleans up after each party, works around the Lewiston Recreation Department activities and offers free use of the bounce house for a Village of Lewiston event. He also stated he has been hired in the past to provide the bounce house for Youngstown's annual street dance and Community Picnic. Mayor Reynolds asked if the Board had any questions and stated the Board would discuss the matter. Deputy Mayor Lockhart asked the amount of insurance coverage he carried. Mr. Conde responded he carries coverage of one million dollars. Attorney Caserta stated this is a minimum coverage amount required. Deputy Mayor Lockhart stated this would bring people into the Village Center and

motioned to accept the gym use proposal, seconded by Trustee Adamson and carried. Trustee Adamson stated he would be happy to let Mr. Conde into the building.

3. Reward regarding the Veteran's Memorial damage. Attorney Caserta stated a reward has been set up under municipal law and read the following statement. **The Village of Youngstown is offering a reward of up to \$500.00 for information which shall lead to the detection, arrest and conviction of the person or persons guilty of the vandalism at the Veteran's Memorial in Veterans Park on or about December 30, 2014.** Deputy Mayor Lockhart motioned to approve the reward offer, seconded by Trustee Suitor and carried.
4. Cold Storage site plan approval. Mayor Reynolds stated the matter comes under SEQR review. Engineer Lannon discussed the preliminary site plan recommending it with conditions regarding entrances and exits. He also discussed water, sewer and sprinkler issues and the steps to be taken. Application for a building permit will be done and reviewed by Building Inspector Stevens and Engineer Lannon. He reported under SEQR this is an unlisted action and requires a short assessment form to be completed. There are three parts to the form which states the zoning and project action. In part two, there are eleven questions regarding the impact of the project and determination of a negative declaration regarding impact. The last step would be the formal plan approval. Engineer Lannon read each of the eleven questions from the form. He then advised that part three of the form need only be completed if there is a moderate to large impact which he stated should not be the case and added the Village would be the lead agency. Deputy Mayor Lockhart thanked Mr. Lannon for updating the Board and others in attendance. The Deputy Mayor then motioned to accept Engineer Lannon's recommendation and the negative declaration to SEQR, seconded by Trustee Adamson and carried. Deputy Mayor Lockhart stated this is preliminary. Engineer Lannon stated the next approval comes from Building Inspector Stevens and himself. Deputy Mayor Lockhart then motioned to approve the Cold Storage preliminary site plan, located at 701 Nancy Price Dr. with the stipulations that the developer provides shielding of the parking area with the use of additional landscaping and fencing and address traffic flow concerns onto Second Street by at minimum putting up "no exit" signs with a speed bump. The motion was seconded by Trustee Adamson and carried. Attorney Caserta stated that no variances are needed.
5. The dates for upcoming events in 2015 were set by the Board. The Community Picnic is scheduled for Saturday, August 8<sup>th</sup>, Christmas in the Village will be held on Saturday, December 12<sup>th</sup> and the Contraption Race will be held on Saturday, August 1<sup>st</sup>. Information on the Folk Fest is forthcoming. A brief discussion took place regarding the packing of Christmas baskets to be held the week prior to distribution which is scheduled for Saturday, December 19<sup>th</sup>. The aforementioned dates will be passed on for publication in the Lower Niagara River Chamber of Commerce yearly local events calendar. Mayor Reynolds stated the Contraption Race committee wants to use the dock area and park as they did last year. Deputy Mayor Lockhart stated the committee will have to coordinate with the jet boat business regarding use of the area. Trustee Adamson motioned to approve the Contraption Race committee's request for the aforementioned space usage, seconded by Trustee Suitor and carried.
6. The next Board meeting is scheduled for February 12, 2015 at 7:00 p.m. So noted.

### **OLD BUSINESS**

Trustee Adamson stated he was glad to see the fence at the Frey's Water St. residence has been moved. He stated the land/green space area will have to be improved. Building Inspector Stevens stated the handrail has not been installed yet. Attorney Caserta will discuss the matter with the Frey's attorney tomorrow.

Deputy Mayor Lockhart stated he reviewed a request from the last Board meeting to have a 15 minute parking/loading zone for passengers to be dropped off on Main St. He stated he did not want to lose any parking spots on Main St. and suggested the driver could drop

passengers off and then look for a parking spot. The Deputy Mayor stated he is not in favor of a loading zone.

### **NEW BUSINESS**

Deputy Mayor Lockhart discussed doing an inventory of drainage problems throughout the Village. He briefly discussed the advantages of drainage work, I & I work, sanitary sewers and other drainage matters. The Deputy Mayor set a meeting date of February 10, 2015 at 7:00 p.m. at the Village Hall for residents to address drainage problems they may have. The meeting date will be displayed on the L.E.D. sign outside the Village Hall and placed in the Sentinel.

Mayor Reynolds stated the Village has received a donation of \$100.00 to defer the Veteran's Memorial repair costs from the Tonawanda branch of Viet Nam Veterans, Chapter 77. A separate account will be set up for such donations and any extra funds will be used for maintaining it. The Mayor stated other groups will be donating to the repair fund and he has learned that Lewiston Porter students will be holding a fund raiser. Dick Lucas asked what the damage costs are. Mayor Reynolds stated the estimate is \$6,670.00, with the DPW crew taking it to the company doing the work. The door frames are bent. Other estimates are being obtained. The Mayor could not say if the damage costs would be turned over to the Village's insurance company as donations are coming in to defray the cost.

The Mayor reported that the Youngstown Business Association has requested Main St. to be closed from Hinman to Lockport St. on Saturday March 14<sup>th</sup> from 11:30 a.m. -12:30 p.m. for the annual St. Patrick's Day Parade. The Board agreed to the closing and Mayor Reynolds will advise the YBA.

### **REPORTS**

Trustees Comerford and Suitor had no reports.

Deputy Mayor Lockhart reported the senior citizen van has over 40,000 miles on it and looks like a three year replacement be considered. He also reported there is no financial support of the van from the Town of Porter. Mayor Reynolds agreed that the Town of Porter has not given van financial support to date. Deputy Mayor Lockhart stated the Village may have to have a use policy for the van. DPW Superintendent Muller stated the van is driven approximately 200 miles per day. Mayor Reynolds stated the consolidation of services may have to be reviewed.

Trustee Adamson advised the Board of a resident at 334 Brampton Rd. has a culvert pipe that has heaved up at his property and has told the resident not to replace it yet due to drainage problems which need to be addressed. Deputy Mayor Lockhart stated the matter would be looked at.

Trustee Adamson also reported a couple who are both retired from the U.S. Air Force, want to donate to the Vet's Memorial repairs fund. Trustee Adamson stated basketball will begin on Tuesday and Thursday nights in the gym. He also attended the Recreation Commission meeting and the annual celebrity bar tender's night will be held at the Lewiston Events Center on April 11, 2015 as it has been held at the Jug in the past and the Mug and Musket does not have the proper licensing at this time. All proceeds benefit the Nancy Price Scholarship Fund. Trustee Adamson then thanked Clerk Castilon stating it was a pleasure to work with her and wished her well in her upcoming retirement.

Mayor Reynolds again asked for public comment. Judy Hannah asked if public donations could be made to the Veteran's Memorial repair fund and who should checks be made out to. The Mayor stated checks may be made out to the Village of Youngstown.

With no further business, Trustee Comerford motioned to adjourn the meeting and enter into Executive Session, seconded by Trustee Suitor and carried. The meeting ended at

8:30 p.m. and the Board entered into Executive Session following the regular Board meeting to discuss litigation and personnel matters.

At 9:55 p.m. Trustee Sutor motioned to come out of Executive Session and into regular session again, seconded by Trustee Adamson and carried. No action was taken during Executive Session. In regular session, Deputy Mayor Lockhart motioned to adjourn the meeting, seconded by Trustee Comerford and carried. The meeting adjourned at 9:56 p.m.

Respectfully submitted,

Barbara J. Castilon  
Clerk Treasurer