

Village of Youngstown Board Meeting Minutes – March 23, 2017

Mayor Reynolds opened the meeting with the Pledge of Allegiance at 7:00 p.m.

Also present were Trustees Adamson, Zastrow, Comerford, Deputy Mayor Lockhart, Attorney Caserta, DPW Superintendent Muller, Code Enforcement Officer Stevens and a few interested residents.

Mayor Reynolds opened the meeting to the public with the Notice of Public Hearing and asked if there were any questions or comments:

Mr. Swan from Swain Road asked if this law is to deter Ice Cream Trucks from the Village or in favor of them. Attorney Caserta informed him this law is so the Ice Cream Trucks will have a permit for the summer season instead of just for the normal ten (10) days that vendor permits are for.

Mr. Swan then commented that food trucks do not hurt the restaurant businesses as proven by other municipalities that allow them.

**Notice of Public Hearing**

NOTICE IS HEREBY GIVEN THAT, PURSUANT TO Village Law, a public hearing will be held by the Board of Trustees of the Village of Youngstown, at the Village Hall, 240 Lockport Street, Youngstown, New York, March 23, 2017 at 7:00 p.m., for the purpose of hearing and considering all interested persons concerning the following Local Law:

Proposed Local Law No. 1 of the year 2017 to modify Chapter 141 Peddling, Soliciting and Transient Businesses of the Village of Youngstown, New York.

ICE CREAM/NOVELTY VEHICLES – A vehicle whose primary purpose is the sale of ice cream and other novelties.

Section 141-9 Shall be Amended as Follows:

<u>Type of Permit</u>	<u>Fee</u>
Peddlers or Solicitors Permit	\$125.00
Transient Business Permit	\$125.00
Ice Cream/Novelty Truck	\$125.00

Section 141-10B Shall be modified as follows:

B. Solicitors, Peddlers or Transient Business Permits issued pursuant to this chapter automatically expire ten (10) days after issuance.

Section 141-10 Shall be Amended to Include Subsection F

F. Permits for Ice Cream/Novelty vehicles shall be valid annually from April 1<sup>st</sup> to October 31<sup>st</sup>.

With no other comments from the public Mayor Reynolds moved on to department reports:

Police Chief Schuey was absent.

DPW Superintendent Muller stated that they are done with brush pick-up. He stated that he received an estimate for \$2,000.00 to take down a tree on Main Street that is hollow on the inside and needs to come down. Motion to approve the estimate was made by Deputy Mayor Lockhart and seconded by Trustee Zastrow and carried.

Superintendent Muller also mentioned that the gardens at the River are overgrown with tall grass and bushes and would like to clear that area out. Mayor Reynolds suggested that he get in touch with Mrs. Bush from the Beautification Committee and see what she has planned for that area and Deputy Mayor Lockhart suggested that a plan be written up.

Trustee Adamson stated that down by the River there are bags of concrete, bricks and other building paraphernalia on top of the fire hydrant and asked Superintendent Muller if that was the DPW property. Superintendent Muller stated that it belongs to the Youngstown Yacht Club. Trustee Adamson asked Superintendent Muller if he would talk to the Yacht Club and ask that the area be cleaned up. Superintendent Muller stated that he would take care of it.

Mayor Reynolds stated that he received a call from a resident on Elm Street that had a tree cut down in their yard and was wondering if the DPW could pick up the brush from it. Superintendent Muller then stated that he had talked to the resident and since it was a contractor who cut down the tree the contractor is responsible to haul the brush away. The resident stated that he will call the contractor to haul the brush away.

Code Enforcement Officer Stevens handed in his February report and had nothing else to report.

Grant Writer Rotella handed in his February report: Water Street Improvement Greenway Application: Presentation to the HCSC was made on January 31<sup>st</sup> and we were approved for \$100,000. We need a letter from the Niagara County and we can start (plan) for the project.

Arts Grants: An application was submitted for \$2,975 in grant request; \$1,000 was awarded and should be received by the Village of March 1<sup>st</sup>. (Attached to this report is the notification that states we were awarded this amount).

Tree Inventory Grant Project: application was submitted on March 1<sup>st</sup>.

Grant Writer Rotella stated that CFA's (Consolidated Funding Application) will open in May – Deputy Mayor Lockhart motioned to resubmit the grant application and seconded by Trustee Comerford and carried.

Grant Writer Rotella also stated that the Village should be getting the grant money to demolish the Cold Storage Building sometime this summer.

Engineer Lannon was absent.

Attorney Caserta commented on a letter received from the State Comptroller's Office pertaining to a law for parking regulations. The Clerk stated that she had talked to a gentleman from the State Comptroller's Office and he stated that they are still trying to determine how funds from parking tickets are to be distributed between the Town of Porter and the Village. He stated that the Clerk will be getting a call from their Attorney sometime soon to explain what to do with the funds collected. Mayor Reynolds asked the Clerk to give Attorney Caserta the contact name and number when she hears from the State Comptroller's Attorney.

Attorney Caserta also reported that he had prepared a letter to the State explaining the different attempts to save the Cold Storage Building from demolition but all attempts had failed. He forwarded this to Grant Writer Rotella who then forwarded on to the State so the grant funds could be released to the Village.

With nothing else to report Mayor Reynolds continued with the meeting.

Minutes from the March 9, 2017 Meeting – motion to approve was made by Trustee Adamson and seconded by Trustee Comerford and carried.

Motion to close the public portion of the meeting was made by Trustee Adamson and seconded by Trustee Zastrow and carried. 7:25 p.m.

### **Correspondence**

1. Gross receipt tax received in the amount of \$2,421.78 for the month of February.

Franchise Fees received in the amount of \$21,024.01.

Sales Tax received for the month of February in the amount of \$28,113.49 – down \$3.87 from same period last year. So noted.

2. Just a reminder that the Friends of the Library will be holding their “Dessert and Wine In The Stacks” in the Village Center Library on Friday, April 7<sup>th</sup>, 2017 from 6:00 p.m. – 9:00 p.m. So noted.

3. Also a reminder – the Nancy Price Celebrity Bartending Event will be held April 1<sup>st</sup>, 2017 from 6:00 p.m. – 10:00 p.m. at the Jug on Main Street. This event is to raise funds for the Nancy Price Scholarship Fund. So noted.

### **Agenda**

1. Abstract of Audited Vouchers for period March 10, 2017 – March 23, 2017: General - \$19,237.82, Water - \$101.56, Sewer - \$301.96 and Trust Agency - \$0.00. Motion to approve was made by Trustee Zastrow and seconded by Trustee Comerford and carried.

2. A letter from Youngstown Yacht Club announcing the annual CanAm Regatta, scheduled for July 28-30, 2017. They have several requests:

1. Vehicular closure of Water Street from 6:00 a.m. on Friday until Sunday evening.

2. Vehicular access be limited to emergency, official services, residents whose access to their property is via Water Street, people with limited mobility/disability, participants of the regatta with their boats, those granted access by the regatta committee and NJA’s vehicles.

3. They will arrange with NJA for tour buses to have controlled access so as not to impact the normal operation of their business.

4. As in years past, we respectfully request tenting on the north Village park, and use of the Village docks south of YYC and on the North park property.

5. Once again they are budgeting a \$1,000.00 donation to the Village Recreation Center as their way of showing appreciation for these accommodations. Motion to table this until a meeting could be set up between

the Youngstown Yacht Club and the Village of Youngstown was made by Trustee Adamson and seconded by Deputy Mayor Lockhart and carried.

3. Request from Ben Hastings/Youngstown Marksmen to use Veteran's Park soccer field on Sunday evenings in the summer of 2017 for their home matches, and sporadic Wednesday or Thursday night games for the Wood Cup schedule. Recreation Director approved this. Motion to approve was made by Trustee Adamson and seconded by Trustee Comerford and carried.

4. Approval for Mayor Reynolds to sign the 2017-2018 Independent Health Contract. Motion to approve was made by Deputy Mayor Lockhart and seconded by Trustee Adamson and carried.

5. Approval for Mayor Reynolds to sign the 2017 Sewer Use Agreement with the Town of Lewiston, Town of Porter and the Village of Youngstown. Motion to approve was made by Deputy Mayor Lockhart and seconded by Trustee Comerford and carried.

6. A request from a 43 year old resident who lives on Lower River Road to use our Senior Van for rides to Melloni's and the Laundrymate. He apparently broke his right leg and cannot drive and is on compensation from work. Mayor Reynolds stated that a while back the Board decided to enforce the rules according to Niagara County's Office of the Aging Rules that you must be 60 years of age or older and be able to get on and off the van without any help in order to ride the van. Mayor Reynolds stated that unfortunately this resident does not meet the requirements. Motion to deny the request was made by Deputy Mayor Lockhart and seconded by Trustee Zastrow and carried.

7. The Village of Youngstown Recreation Director would like to know if the lights at Veteran's Park can be turned on every evening until 10:00-10:30 p.m. She stated that there are some teens that would like to play basketball. Motion to approve was made by Trustee Adamson and seconded by Trustee Comerford and carried with the understanding that the lights will go off at 10:00 p.m. every evening.

8. Approval for Mayor Reynolds to sign the 06/01/2017 - 05/31/2019 Contract Agreement with Modern Disposal Services, Inc. based on the sum of \$145.91 per unit/\$102,137.00 for the first year and for the second year to be paid by the Village to Modern as set forth in the Information to Bidders, agrees to perform the services required pursuant to the bid Contract Documents, Information for Bidder, Item 16. Contract Scope specifications for alternate Bid #2: collection, hauling and disposal of mixed municipal solid wastes, bulky wastes, and white goods weekly and collection and processing of recyclables every other week for the full term of two (2) years with the ability to extend as stated under Item 31. Motion to approve was made by Trustee Zastrow and seconded by Trustee Adamson and carried.

9. The next Board Meeting will be April 13, 2017 at 7:00 p.m. Following tonight's Board Meeting there will be a Work Session.

Attorney Caserta stated that April 13<sup>th</sup>, 2017 is Holy Thursday so the Board agreed to change the next meeting to April 6, 2017 at 7:00 p.m.

### **Old Business**

1. Tabled from January 26<sup>th</sup>, 2017 meeting three requests from Riverview Fitness:
  - A. Silver Sneakers Class – Monday & Thursday – 10:00 – 11:00 a.m.  
Wednesday & Friday – 9:00 – 10:00 a.m.  
They originally wanted the Cora Gushee Room but due to pre-scheduled events they can use the Niagara Pioneer Soccer Room.
  - B. Weight Loss Seminar Series – Monday's – 7:00 – 8:00 p.m. in the Cora Gushee Room.
  - C. Men's Pick-up Basketball – due to our recreation holding events this will not work. This was Tabled.
  
2. Tabled from February 23<sup>rd</sup>, 2017 meeting a request from Nick and Mary Hazlett to acquire a paper street/empty parcel of land that is currently owned by the Village of Youngstown tax map #45.15-3-29 so they may use it as their driveway. This was tabled until the Attorney and Board could look at the street map. Motion to un-table this request was made by Trustee Adamson and seconded by Deputy Mayor Lockhart and carried. Motion to deny this request was made by Trustee Adamson and seconded by Deputy Mayor Lockhart and carried.
  
3. Approval of wordage to collect rent for organizations that use the Village Building for meeting etc. It was suggested by Attorney Caserta that the Board word this that rent will be collected for organizations to use the village rooms other than certified not for profit organizations. This was tabled.

### **New Business**

Trustee Adamson asked Mayor Reynolds if the Board could write a letter of support for Fort Niagara to receive funding to renovate three buildings at the Fort to possibly convert them to a hotel/inn for tourists. Mayor Reynolds stated that he would draft a letter.

Trustee Adamson also brought up for discussion about the extra hours for the police department to monitor Water Street, that the taxpayers will have to pay for, so traffic keeps flowing smoothly up and down Water Street, due to the businesses having delivery trucks and tourist buses running more frequently during the tourist season. Trustee Adamson stated that it should not have to be the burden of the taxpayers and maybe between the Board, the Attorney and the Businesses on Water Street a solution to this problem can be met without having to involve the taxpayers.

At this time a motion to approve Local Law No. 1 of the year 2017 to modify Chapter 141 Peddling, Soliciting and Transient Businesses of the Village of Youngstown, New York was made by Deputy Mayor Lockhart and seconded by Trustee Adamson and carried.

### **Reports**

Trustee Comerford thanked the community for helping to make the Lion's Club Cash Bash a big success.

He also wanted to inform every one of the Lion's Club Easter Egg Hunt to be held at Fort Niagara on April 15, 2017 at 11:00 a.m.

Deputy Mayor Lockhart reported that he met with a resident on Main Street who was having issues with fumes from buses exiting Water Street and instead of making a left hand turn as stated by posted signs they turn right and that's when he and his wife seem to smell the fumes. He suggested to Deputy Mayor Lockhart to "flag" the new signs that are posted to instruct the buses to turn left with little flags that read "new" so this will bring the signs to the bus driver's attention and they will know this is a new law in the Village.

Trustee Zastrow asked if the historical equipment that was left in the Cold Storage Building could be salvaged before the building is demolished. Grant Writer Rotella and resident Dotty Riordan stated that they thought there was nothing left in the building but Grant Writer Rotella will check into it.

Trustee Adamson reported that recreation baseball will be starting up April 6, 2017 but the gym will remain open for a while longer so the youth of the Village will still have a place to go.

He stated that he has talked to Councilman Duffy from the Town of Porter and he stated that they agreed to split the cost of the new Senior Van with the Village. In the meantime Trustee Adamson presented the Village Board with three letters to be sent out to Senator Ortt, Senator Collins and Assemblyman Norris asking for funding for a new Senior Van. Motion to sign the letters was made by Trustee Adamson and seconded by Deputy Mayor Lockhart and carried.

With the reports done Mayor Reynolds asked if the public had any comments:

Mrs. Riordan from Second Street commented that the Business Association Sign on Water Street hill could be re-located by the stairway so the bus signs will be more visible for the drivers to see.

Mr. Swan from Swain Road commented that after the wind storm this past week he had shingles blown in his yard from a neighbor's house and suggested to the Board that in the event of residents working on their roofs and have a blue tarp on them, a time limit be set as to how long the blue tarp could be left on the roof. Mr. Swan also suggested that the amount of taxpayer money that is needed to patrol Water Street be spent on re-paving Streets in the Village.

With no other comments Trustee Comerford motioned to adjourn the regular meeting and enter into the Work Session, and seconded by Deputy Mayor Lockhart and carried. 8:14 p.m.

Respectively Submitted,  
Cynthia J Tripoli, Clerk Treasurer