



INCORPORATED:  
APRIL 18, 1854

# Village of Youngstown

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## Village of Youngstown Board of Trustees Work Session Minutes -- January 11, 2018 *Approved January 25, 2018*

### OLD BUSINESS

#### **MAIN STREET EASEMENT**

Attorney Caserta sent a letter to the two property owners, but has not received a response.

#### **AIR CONDITIONER**

##### **Unit for Historical Society, Board Room and “Mayor’s Room”**

\$7800 – Steve’s Heating and Cooling

\$9365.00 – H.W. Bryk & Sons

\$17,562.00 – McGraw Mechanical (received 1/10/18)

On hold pending finances.

#### **BOILER FOR THE VILLAGE CENTER**

On hold pending finances

#### **REMOVAL OF TREES AT 723 MAIN STREET**

Angry Beaver Tree Services was awarded the bid.

Superintendent Muller has called them, but has not received a return call as of meeting time. Trustee Zastrow suggested that he try calling them again. Deputy Mayor Lockhart stated that the trees over the stairs on the embankment need to be cut down to reduce liability.

#### **GYM DOORS (FROM ENTRANCE OF PARKING LOT)**

\$3425.00 -- American Glass and Mirror Co., Inc

\$3655.00 – Sterling Glass, Inc.

\$4650.00 -- A 24 Hour Door National, Inc. (received 1/10/18)

On hold pending finances.

#### **ELEVATOR INSPECTION**

Alps Elevator Inspection services awarded the bid. They have been contacted and are coordinating the inspection.

#### **NIAGARA COUNTY WATER DISTRICT GALLONAGE REPORT:**

November 30, 2017-December 29, 2017 report shows up 1,840,000 gallons from the same period in 2016.

Superintendent Muller advised that the meter may have been malfunctioning and therefore Niagara County replaced the meter that morning. David Branch, Superintendent of Water Transmission, Niagara County Water District emailed a report (that was distributed to the Board) showing the Village water usage from 2004-2017.

Deputy Mayor stated that the DPW will be monitoring all points of water into the Village daily to see if there are any trends of high and low measurements.

#### **COMPLAINT AGAINST CHEMICAL WASTE MANAGEMENT / DEC**

Attorney Caserta stated that he sent the Board the engagement letter and the scheduled court date is February 28, 2018. The board agreed that Mayor Reynolds would sign the letter as drafted by Attorney Caserta.

Trustee Fox stated that will recuse himself from any involvement regarding CWM because of his business relationship with the company.

## **NEW BUSINESS**

### **DPW COMP TIME**

Deputy Mayor Lockhart stated that the Union Members approached him about earning comp. time in place of overtime to help save the Village money.

Attorney Caserta stated that the current Union contract will expire in 2019 and highly recommends that this be a topic of discussion that is negotiated at the next contact. If the Union formally approaches the Board, they can ask to open negotiations and discuss a Memorandum of Agreement.

Mayor Reynolds stated that there are many details that go along with this suggestion and that Attorney Caserta's recommendation makes sense at this time.

Attorney Caserta stated that the DPW has done a great job plowing and salting throughout the Village.

### **MAINTENANCE SCHEDULE**

Deputy Mayor Lockhart stated that he is working with the DPW to create a maintenance schedule to cover cleaning 20% of the sewer system each year so that the entire system is serviced completely every five years.

Deputy Mayor Lockhart spoke briefly on the inflow and infiltration responsibility of the DPW and the need to identify issues, list them and repair as needed. He also stated that the DPW would be reading the four meters coming into the Village every day so that he can report back to the board if there any issues or inconsistencies. The DPW will also be inspecting the manholes to visualize the flow as a quick way to determine if there are issues with the system – especially with rain or the snow melting when the flow is heavier than average.

### **SEWER**

Deputy Mayor Lockhart explained that Fred Braun from 925 River Road has informed him of sewer issues he is having at his home. It was explained that Mr. Braun has a system that is the hookup for three homes on the River. Road Deputy Mayor Lockhart stated that he has looked at sewer maps from 1939-present and cannot find any indication that the sewer Mr. Braun is connected to belongs to the Village. He suspects that the houses are on a private connection that may be substandard to Village code. Deputy Lockhart stated he would talk to Mr. Braun for further information.

### **INSTALLATION OF PLAYGROUND EQUIPMENT**

Deputy Mayor Lockhart informed the Board that the Recreation Department purchased new playground equipment in 2014 that has been in storage. He stated that he, Recreation Director Kim Cudmore and Recreation Chairperson Tina Oddy met with a contractor so that they could discuss updating the playground to code for newer safety standards. He stated that it will cost between \$5000 and \$6000 to reconfigure. Deputy Mayor Lockhart stated that there is about \$3200 remaining from a grant used to purchase the LED sign that can be used for this purpose. He also stated that Recreation could use the \$1000 donation from the Can Am Regetta towards the cost and has money in their budget to make up the remaining balance.

Deputy Mayor Lockhart stated that the DPW will start working on the reconfiguration with an anticipated installation and completion of the project by May.

## **FAMILY MEDICAL LEAVE ACT**

Clerk-Treasurer Brown explained to the Board that the Union mailed a form to determine if there would be participation in the Paid Family Leave Act.

Trustee Zastrow asked if there was any cost to the Village and Clerk Brown stated that the benefit is employee funded. Mayor Reynolds asked how the benefits are received. Clerk Brown stated that the system is governed by the NYS Workers Compensation Board but the benefit is provided through the employer's insurance provider. Shelter Point provides disability insurance for both Union and non-union employees within the Village. Mayor Reynolds asked if the Union supplies disability insurance under their benefit package, why the Village was also paying for it under Shelter Point.

Mayor Reynolds stated that when the Board enters back into regular session, action can be taken.

## **BUILDING USE PROCEDURE**

Clerk Brown explained to the Board that there are some cases when building use is requested by a local organization with an event date prior to a Board meeting. She asked for the Board to allow the Clerk's Office to decide if the building use is appropriate and if so, to allow the event without requiring prior Board approval.

Mayor Reynolds stated that when the Board enters back into regular session, action can be taken.

## **MAIN STREET MORATORIUM**

Deputy Mayor Lockhart stated that the Board may want to consider revising the moratorium of building construction on Main Street, WC-1 district. Currently the ground floor cannot be residential and must be commercial. He stated that may be why the owner of 409 Main Street choose to use the ground floor of his second floor apartment as a parking lot when constructed.

Attorney Caserta stated that if they Board would like to change the moratorium, they would need to look at the language and have a public hearing to change the permitted use. It was decided that the Board could discuss the language further at the next work session.

## **CLERK'S OFFICE COPIER**

Clerk Brown stated that because she had contractual questions, this item should be discussed in Executive Committee.

## **INTERNATIONAL CALLING PLAN**

Clerk Brown stated that because she had contractual questions, this item should be discussed in Executive Committee.

## **FINANCIAL REPORT**

Clerk Brown explained that the Board was provided with a financial report. The cash accounts are reconciled with the bank and are correct. However, the savings accounts are not correct or reconciled to the NY Class accounts. She explained that this is an area that the Clerk's Office will be working on to correct. Mayor Reynolds stated that the savings accounts will be straightened out, but it will not be a quick process because a trail needs to be followed to record all transactions and interest properly.

Trustee Zastrow asked if the year end balances on the report are correct. Clerk Brown stated that the only line items on the report that are correct are the cash accounts.

## **ADDITIONAL ITEMS**

### **NORTHFIELD DRIVE DRAINAGE**

Trustee Comerford stated that he spoke with Mrs. Ireland on Northfield regarding the drainage and he claims she and her neighbors have agreed that they will pay for the materials for the drainage to be fixed. Trustee Comerford also stated that Mrs. Ireland stated that all three parties involved would agree to the easement needed for the DPW to complete the work. Attorney Caserta stated that he would draft the paperwork that the homeowners will need to sign for the work to commence.

Mayor Reynolds questioned if this situation was setting precedence for the future. He stated he was concerned that residents with drainage issues in their yard will expect the Village to fix it even if the problem is specific to only one yard. Deputy Mayor Lockhart stated that if a development was constructed with a natural swale that eventually filled in, it would affect a few properties and at that point it should be a case by case basis as to if the Village is responsible. He stated that drainage issues on one property are typically the responsibility of the homeowner.

Trustee Comerford said that he would inform Mrs. Ireland that the DPW will do rough grading once the work is completed (no finish landscaping will be completed) and that Attorney Caserta will draft the paperwork.

#### **YOUNGSTOWN BUSINESS AND PROFESSIONAL ASSOCIATION**

Mayor Reynolds stated that the following discussion may be a conflict of interest for Trustee Zastrow and he may choose to abstain from the discussion because he is on the executive committee for the YBPA.

Mayor Reynolds stated that the Village of Youngstown helps to fund the YBPA brochure and the flowers throughout the Village, but believes that the Village pays a large portion while the YBPA covers very little of the cost. Dotty Riordan, who was representing YBPA, stated that a grant covers a lot of the YBPA expense.

Mayor Reynolds stated that the brochure is a good advertisement for the business association, but there is little reference to the Village and questions if it makes sense for the Village to use taxpayer money to promote the YBPA members. He stated that the Village website is not even included on the publication.

Mayor Reynolds also stated that because of the cost of the project, the Village procurement process is to solicit three (3) written bids.

Dotty Riordan stated that the brochures are distributed in the Sentinel as well as on the shuttle and Fort Niagara.

Mayor Reynolds stated he feels the general perception is that the business association takes the credit for the brochures with little acknowledgement to the Village.

Ms. Riordan stated that YBPA must have matching funds in their account in order for the grant to be approved. She stated that there is a lot of paperwork generated in order to apply for the grant and there is no guarantee on the amount of the money awarded.

Ms. Riordan also asked if the board was planning to replace the fixtures in the board room and stated that she would be willing to get a quote for the fixtures so they are similar to the ones in the historical society.

Mayor Reynolds stated that the board would continue discussions with the YBPA regarding the brochure.

Trustee Zastrow did state that anything the Village would like to add to the brochure should not be an issue and Ms. Riordan agreed.

#### **ADJOURN WORK SESSION / ENTER INTO REGULAR SESSION**

A motion was made by Trustee Zastrow and seconded by Trustee Comerford to adjourn the work session and enter into regular session at 9:03 p.m. All in favor, motion carried.

Minutes continued under  
Village of Youngstown Board of Trustees  
Minutes – January 11, 2018

Submitted by  
Amy Freiermuth  
Deputy Clerk-Treasurer