

# Village of Youngstown

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## Village of Youngstown Board of Trustees Minutes – May 24, 2018

**PRESENT:** Mayor Reynolds, Deputy Mayor Lockhart, Trustee Comerford, Trustee Zastrow, Trustee Fox, Attorney Caserta, DPW Superintendent Muller, Police Chief Schuey, Sergeant Ullery, Building Inspector Stevens, Grant Writer Rotella, Clerk-Treasurer Brown, Deputy Clerk-Treasurer Freiermuth. **ABSENT:** Engineer Lannon.

### **CALL TO ORDER:**

The regular meeting of the Village of Youngstown Board of Trustees was called to order at 7:00 p.m. by Mayor Reynolds with the Pledge of Allegiance.

### **PUBLIC COMMENT:**

Mr. Freiermuth of Church Street addressed the Board regarding Building Inspector Stevens. Mr. Freiermuth advised the Board that Building Inspector Stevens handled a call made to him and within five minutes had responded and handled the situation. Mr. Freiermuth also commended DPW Superintendent Muller on his quick handling of a water leak reported by Mr. Freiermuth. Mr. Freiermuth wanted the Board to know what a good job both had done. Mr. Freiermuth continued that he feels the Village should address contractors that are “flipping” houses in the Village. The Contractors are piling up a great deal of garbage and are burning grass and sticks and this is all a burden to the Village. Building Inspector Stevens handled the issue, but Mr. Freiermuth feels something should be written up to address these issues. Mr. Freiermuth also asked if a large sign could be placed on Second Street to stop the buses from going down the street. Many come around the corner and then realize they are on the wrong street. They then try to back up or park for a period of time before moving on. Mr. Freiermuth thanked everyone again for their efforts. Mayor Reynolds thanked Mr. Freiermuth for his feedback.

Ms. Ciamaga from Water Street addressed the Board regarding the letter she submitted about potholes on Water Street. Ms. Ciamaga feels that the patching is not successful. There is increased traffic and children on bikes. This could cause falls, and she has fallen walking her dog. Ms. Ciamaga explained that the potholes are getting bigger and bigger and she would like a proper fix to them. Mayor Reynolds asked DPW Superintendent Muller when they could look at the holes. DPW Superintendent Muller advised it would be towards the end of next week, or perhaps the week after. The street is breaking apart and he feels if they place hot patch and roll

it, the problem will be fixed. Ms. Ciamaga advised the Board that the DPW has done a great job plowing and salting Water Street this year.

Ms. MacNaughton of Main Street addressed the Board. Ms. MacNaughton read a letter she had prepared. Ms. MacNaughton explained that she appreciated the burden of leadership the Board has accepted in representing the Village. Ms. MacNaughton continued that the Board may be reacting to a few loud voices that do not have the Village at heart. There are issues with Carrollwood Drive and buses, Youngstown Estates and buses, home owners have sold properties because of Marina issues. Ms. MacNaughton continued that she lives on Main Street and overlooks the water and sees the buses. She enjoys the tourists that are walking around the area and welcomes them. Ms. MacNaughton advised that she is stunned about the camera that has been mounted on Main Street. Ms. MacNaughton feels angry and her eyes are drawn to the camera. She has been on Main Street for 15 years, ran the fitness center for 6 years and is looking to start a new business on Main Street. She is currently working on getting a Barber for the Barber Shop as well. Ms. MacNaughton stated she wrote the grant for the decorative poles on Main Street. Ms. MacNaughton continued that she does not like the planters or snowflakes on the pole but has not protested because it is her personal opinion. The camera issue is not the same, it does not welcome Business. She continued with her dialogue advising that she needed an immediate response as to the intentions of this camera as she will not continue investing her money in Business on Main Street if the intention is to have cameras on Main Street. Mayor Reynolds then replied that he supports all Business on Main Street and had recently attended the Youngstown Professional and Business Association meeting and stood up for local Business when the association was going to have an outside business attend events. Mayor Reynolds continued that the cameras are not there to watch people or businesses. They are to provide a safe environment with the bus traffic and soccer traffic so no one is injured. A lengthy dialog continued. Chief Schuey explained he only has access to the camera and it is for data and will be moved around the Village as needed. The Police Department is unable to have a car there at all times, this will help with identifying where and when there is heavier traffic so the Police are able to staff accordingly. Chief Schuey explained the grant was from the DA's Office at no cost to the Village. Ms. MacNaughton replied she had heard it was from a grant for cameras at the Veterans Memorial. Chief Schuey explained again where the grant originated and what the purpose was for. Dialogue continued between Chief Schuey and Mr. Lohr of Main Street and Ms. MacNaughton. Building Inspector Stevens inquired as to what could be done with the data the Police collect. Chief Schuey responded that there is nothing they would do; they are using the data only. They will be able to schedule patrols more efficiently. Trustee Comerford advised he spoke with Chief Schuey and there is something that will be printed with information regarding the camera that residents can pick up at the Clerk's Office. The dialogue then continued further with Building Inspector Stevens stating he feels the cameras are intrusive for a small town. Mayor Reynolds stated that the Village tried extra Patrols and it was expensive and did not work. Heather Crumlish from the Youngstown Free Library spoke asking if anyone had communicated with the Niagara Pioneer Soccer League about the problems with the traffic. Ms. Crumlish continued that she tries to frequent a business a week in the Village and when she

visited the Ontario House she was flabbergasted and all she could see was the camera and she left. Ms. Crumlsh continued she understands the safety issue but does not want the camera.

Mr. Rickert from 440 Main addressed the Board on the moratorium on Main Street. They have closed on the property. Mr. Rickert asked if it was possible to start building on the back 1/3 of the first floor leaving the front open for commercial space to build to suit. Mayor Reynolds reminded Mr. Rickert in previous meeting they had asked to build in the basement first and should follow that path. Mr. Rickert advised they did not really want to pursue that as it is dark and would be costly. Trustee Zastrow advised the moratorium is still in place on Main Street until the code is revised. Mr. Rickert asked if he could apply for a variance. Discussion continued with Mr. Rickert, Attorney Caserta and the Board. Mr. Rickert commented that they have a mortgage to pay and the second floor won't cover that expense. Mayor Reynolds advised that the Board has been very open and advised several times that the moratorium will not be lifted until the code is revised at the end of summer optimistically. Mr. Rickert advised the situation puts them in a difficult position. Mayor Reynolds advised this is not caused by the Village. It was also discussed that Mr. Rickert had placed a sign improperly. Mr. Rickert was advised to refer to the code book on-line on the Village website in reference to signs posted. Ms. Crumlsh also advised the code book is in the Library. Mr. Rickert then commented on the previous camera discussion and advised that they are extremely helpful and that in the 21<sup>st</sup> Century it is an important tool for the Police Department. Mr. Rickert continued that safety outweighs the dislike of the camera

#### **DEPARTMENTAL REPORTS:**

**POLICE:** Nothing further to report

#### **DEPARTMENT OF PUBLIC WORKS:**

Superintendent Muller reported that he turned paperwork in to the Board. The brush pile needs to be handled as soon as the Village is able to have the grinding company in. There has been a great deal of brush added to the already large pile. Superintendent Muller advised he spoke with Ms. Ciamaga about the potholes on Water Street. Superintendent Muller also discussed what was considered brush and detailing that to the resident. Two of the DPW employees will be attending water school in the fall at a cost of \$375.00 a person. The Flags are all up in the Village and the flowers are all hung and planted. The DPW will be checking on trees and sidewalks. The DPW has been cutting the area across from the Fire Hall which is private property. Superintendent Muller asked if they should continue this. The Board advised that they will speak with the property owners. Superintendent Muller advised he has a meeting with Engineer Lannon regarding reporting for sewers. Fort Niagara had their meters all calibrated and they are correct.

**ENGINEER:** Absent

**GRANT WRITER:**

Grant Writer Rotella spoke about the sidewalk project and the consolidated funds application. The HVAC contract will be scanned tonight and then mailed in. Grant Writer Rotella is still waiting to hear from Home Depot for the pallet of mulch for the DPW. The tree inventory project needs to move forward, who will be the project manager. This is due in less than 6 weeks. Mr. Lohr from Main Street spoke about the stairway and the easement on his property. Mr. Lohr advised that there are several dead trees and are the Village trees to handle or his to handle. Attorney Caserta will check and advise. Mr. Lohr then asked about the parking lot on Hinman and the possibility of the Village purchasing the property. Attorney Caserta advised he has been speaking with the Church and will continue to research the possibility.

**BUILDING INSPECTOR:**

The home on Main Street is stalled currently and will continue. The home on Lockport Street is being currently constructed.

**ATTORNEY:** None

**MINUTES**

Motion to approve the Board Minutes from May 10, 2018 was made by Trustee Zastrow, seconded by Trustee Comerford. All in favor, motion was carried.

**CORRESPONDENCE:**

A letter was received from a Water Street resident advising the potholes in the road are presenting a problem for the resident's vehicles. DPW Superintendent Muller advised the holes were filled earlier in the Spring, but additional plowing stripped the hole. Superintendent Muller spoke with the resident and advised her that the DPW will be patching the holes again.

This was discussed in the Public Comment portion of the meeting. So noted.

Notification from Modern Disposal for a rate adjustment based on the consumer price index which reported a 1.9% increase. Effective June 1, 2018 the new rate will be \$148.68 per unit, per year, up from \$145.91 per unit, per year. Our current bills are \$8,511.42, and will increase to approximately \$8,673.14.

So noted.

**AGENDA**

**ABSTRACT OF AUDITED VOUCHERS**

Abstract of Audited Vouchers for the period of May 10 – May 24, 2018 in the amount of \$23,432.48

General: \$ 16,031.73  
Water: \$ 3,663.88  
Sewer: \$ 1,141.16  
Trust: \$ 2,595.71  
Total: \$ 23,432.48

Motion to approve the Abstract of Audited Vouchers was made by Trustee Fox, seconded by Trustee Zastrow and carried.

### **BUILDING USE**

Request from Lewiston-Porter Youth Football to use Veteran's Park for practices from July 23-mid November from 6:00 p.m.-8:00 p.m., Monday-Friday. Recreation Director Cudmore has approved the use, insurance is on file. They additionally request that approval be granted to store two POD units on the field, location based on the discretion of the Village.

Mayor Reynolds stated the motion will be split into two separate actions. Motion was made to approve the use by Trustee Zastrow and seconded by Trustee Comerford. All in favor, motion was carried.

Motion was made to allow placement of the PODS subject to the hold harmless document Attorney Caserta will draw handle. DPW Superintendent Muller will coordinate placement. All in favor, motion was carried

### **MOTION**

Motion to authorize Mayor Reynolds to sign the Williamson Law Book annual software contract for Tax Collection with Tax Glance at \$617.00, and the Payroll Software Support at \$1,046.00 for 6/1/18-5/31/19

Motion was made by Trustee Fox for the Mayor to sign the agreements, seconded by Trustee Comerford. All in favor, motion was carried.

Motion to authorize the Clerk's Office to reclassify NYClass accounts as per information submitted to the Board as suggested by NYS OSC, Williamson Law support and Pat Brown, CPA.

Motion for the Clerk's Office to reclassify the NYClass accounts was made by Deputy Mayor Lockhart, seconded by Trustee Comerford. Trustee Zastrow asked for details on what this will do to the account balances. Clerk-Treasurer Brown explained that the

balances would remain the same; this is just clarifying and marking the accounts appropriately. All in favor, motion was carried.

#### **ANNOUNCEMENTS**

The next Village Board Meeting will be June 7, 2018 at 7:00 pm for the reorganizational meeting. The July Board meeting will be, July 12, 2018 at 7:00 p.m. The August Board meeting will be, August 9, 2018 at 7:00 p.m.

So noted.

The Village Board will enter into a work session immediately following the regular Board Meeting. The Village Board will enter into Executive session after the work session to discuss personnel and litigation matters.

So noted.

#### **OLD BUSINESS:**

DPW Superintendent Muller advised that the ditch was blocked on Northfield Drive. He asked if we had an easement for that area already, or if he needed one. Attorney Caserta will check and advise.

Attorney Caserta advised there is a tree over in the Cemetery on Oak Street and he was trying to locate the owner for the Catholic Church. Clerk-Treasurer Brown advised that the Clerk's Office had sent a map with owners' information. Attorney Caserta will handle with the property owner.

Heather Crumlish from the Youngstown Free library asked on the status of removing the toilet and sink from the bathroom off the Community room. Mayor Reynolds asked Building Inspector Stevens to check the code and advise.

Trustee Zastrow asked about the status of the decision on which insurance agency the Village will be choosing and if it needed to be discussed and motioned. Mayor Reynolds advised that the Board had already made a motion for him to sign the best policy on behalf of the Village. Evans Bank has returned a proposal that will save the Village \$3,300.00 and offers better coverage. This will be the contract the Village will enter into.

**NEW BUSINESS:** None

#### **BOARD REPORTS:**

Trustee Zastrow reported that he reviewed the report from NY Leak Detector. It showed that 35,000 gallons was being lost in the leak the found on Oak Street and East Oak Terrace.

Superintendent Muller commented that he did not feel it was really that much being lost, but the repair has been made.

Trustee Comerford reported that the Nancy Price run was a success. There were fewer participants than last year. Trustee Comerford extended thanks to the Police and Fire Departments for their help. Trustee Comerford continued and advised the recreation Department advised there is a basketball hoop missing in Veteran's Park. Superintendent Muller will check on this and handle as necessary. Trustee Comerford informed the Board that the Recreation Commission would like to meet with the Board on June 7, 2018 at 6:00 p.m. prior to the Board meeting. The Board members confirmed they could attend. Trustee Comerford asked if donations could be accepted by the Recreation Department. The Board and Attorney Caserta confirmed they could. The Village cannot solicit them, but can accept them. Trustee Comerford continued that Recreation Commissioner Oddy was asking if she should move forward with the summer program beginning in June. Mayor Reynolds asked Trustee Comerford for clarification and asked why she wouldn't go forward with it. Trustee Comerford replied because of the budget constraints. Mayor Reynolds advised June is in the new fiscal year, and the program was budget and she should move forward as normal. Trustee Comerford reported that St. John's Episcopal Church has raised \$1,000.00 towards a new van for the senior transportation program. St John's asked when the Village planned on purchasing the van. Mayor Reynolds asked for a liaison to work on the van project. Trustee Fox volunteered to handle this. Mayor Reynolds remarked on all the work Town of Porter Supervisor Johnston put into looking for a new van for the program. Mayor Reynolds will update Trustee Fox on the project to move forward. Trustee Fox asked DPW Superintendent Muller about the State Bid process. Superintendent Muller will show Trustee Fox how the system works.

Deputy Mayor Lockhart reported that the playground equipment is still on the radar for installation at Falkner Park, but the weather has been a factor. The Eagle Scout project at Lion's Park for the fall zone is moving along and the candidate will probably present his project at the next Board meeting. Deputy Mayor Lockhart announced that there is a Memorial Day Ceremony at Fort Niagara on Monday May 28<sup>th</sup> at 11:00 a.m. at the 1812 Cemetery. There are refreshments at the VFW Post afterwards.

#### **PUBLIC COMMENT:**

Building Inspector Stevens advised that the property near the North Dock is looking run down. He asked the Board what could be done. Mr. Lohr from Main Street spoke saying it is an entry point to the Village. Mayor Reynolds advised when it was installed the items were supposed to be maintenance free. Superintendent Muller advised they cut what they can in that area. It was suggested that perhaps the work release program may be able to offer help for cleanup in that area. Mayor Reynolds will check on it.

Sue MacNaughton from Main Street asked about the status of a Bank for the Village. Mayor Reynolds confirmed that the Village has had several conversations with Evans Bank, but there is nothing concrete or in the works right now. Attorney Caserta will reach out to his contact at Evans to see if there is anything that can be done. Building Inspector Stevens asked if the YBPA has made any contacts with any financial place to draw them to Youngstown.

With no further public comment, Trustee Comerford motioned to adjourn the regular meeting and enter into the work session. Motion was seconded by Trustee Zastrow. All in favor, motion was carried at 8:56 p.m.

Motion to end the work session at 10:05 p.m. and enter into Executive session was made by Trustee Comerford, seconded by Trustee Fox. All in favor, motion was carried.

Motion to end the Executive session was made by Trustee Comerford, seconded by Trustee Fox at 10:30 p.m. All in favor, motion was carried.