

# Village of Youngstown

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APRIL 18, 1854

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## Village of Youngstown Board of Trustees Minutes – April 11, 2019

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

### CALL TO ORDER

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

### OPEN PUBLIC HEARING:

Mayor Reynolds opened the public hearing with opening remarks, stating that the Board would not be adopting the budget tonight. Mayor Reynolds continued that the meeting was for input from the community and the budget would be adopted at the next meeting. Mayor Reynolds continued that the meeting tonight was also to address questions on the water/sewer rate proposal from the last public hearing.

As documented on the printed agenda available for audience members:

Notice is hereby given that the Board of Trustees of the Village of Youngstown, 240 Lockport Street, Youngstown, NY will hold a Public Hearing on Thursday April 11, 2019 at 7:00 p.m. for the purpose of hearing all interested parties concerning the following:

- Tentative budget for the 2019-2020 fiscal year commencing June 1, 2019 and ending May 31, 2020. Notice is also hereby given that the compensation to be paid to each member of the Board of Trustees from all sources remains unchanged and is as follows: Mayor, \$7,498.00, Deputy Mayor, \$6,151.00 and each Trustee, \$5,656.00. The tentative budget is available at the Village Clerk's Office and may be inspected during office hours.
- Water/Sewer: increasing the minimum water bill from 3000 to 4000 gallons. Implementing a rate increase to \$4.65/1000 gallons for water and \$6.53/1000 gallons for sewer (currently \$3.65/1000 and \$5.42/1000 respectively).

Deputy Mayor Lockhart spoke in regards to the sewer rates and proposed increase referring to the figures that were provided on a handout available to the audience. Deputy Mayor Lockhart went on to explain that there were many factors effecting the rate increase. Deputy Mayor Lockhart covered topics on the history of the rates, decline in water usage, rate hikes from the Town of Porter and Town of Lewiston Water Treatment. Deputy Mayor Lockhart advised that less than \$4,000 would have been left to operate the Village of Youngstown system. Expenses for the Village also included the new Bond from Lewiston Water Treatment at approximately \$24,000 a year, replacement water meters to upgrade to radio reads for residents. Deputy Mayor Lockhart continued that there were also issues with past revenues being overstated. Deputy Mayor Lockhart stated that the Village of Youngstown is not part of the water district with Niagara County, and although our water rate is higher, when everything is calculated, the Village actually saves the residents money as there is a surcharge of .75cents per thousand dollars of assessed valuation to the property owners on their county/town tax bill each year. This results in an additional \$75.00 for a \$100,000 home for water in addition to the quarterly water bill. Mayor Reynolds asked for any comments or questions.

**PUBLIC COMMENT ON HEARING--all comments shall be kept to 3 minutes and directed to the Village Board of Trustees.**

Mr. Page of Parkside Place spoke, asking where the figures were available for his review that Deputy Mayor Lockhart was referring to. Deputy Mayor Lockhart advised that information could be obtained from the Niagara County Assessor. Ms. Raymond of Northfield Dr. spoke, asking about the increase from 3,000 to 4,000 gallons for a minimum bill. Deputy Mayor Lockhart and Trustee Fox advised this increase will not affect most residents as most use more than 4,000 gallons a quarter.

Deputy Mayor Lockhart advised that if anyone had questions regarding the water/sewer increases, they could contact him to discuss them.

Mayor Reynolds moved on to the tentative budget for discussion. Mayor Reynolds pointed out that the budget is within the 2% property tax cap set by the State. Mayor Reynolds stated that this would result in the Village raising the amount collected in property taxes by just over \$15,000.00 in total. Mayor Reynolds continued stating that amount is not a large amount when expenses continue to rise. Mayor Reynolds asked for any public comment or questions. Trustee Zastrow asked if the AIM funding had been restored. Clerk-Treasurer Brown advised it had been added back into the budget, and was reflected in the Village's tentative budget as revenue. Deputy Mayor Lockhart stated that the CHIPS line on the budget is a State grant for roadways and sidewalks. Deputy Mayor Lockhart explained that the Village identifies roads that need to be paved. If the cost is over the amount needed, the Village can roll the CHIPS funds and use them with the next years grant to accomplish the paving needed.

Ms. Riesman of Glenvale Dr. addressed the Board asking if the money that was withheld from the Town of Porter for O&M payments had to be paid back. Deputy Mayor Lockhart began addressing the questions, Trustee Zastrow remarked that the answer to the question was no. Deputy Mayor Lockhart continued that the funds are included in the budget for the upcoming fiscal year and will be accounted for in the future. The funds that were overpaid to the Town of Porter for O&M that are in dispute will be used to pay for the years the Village withheld payment. The final amounts are not available at this time due to the litigation. Deputy Mayor Lockhart and Mr. and Mrs. Reisman continued their discussion regarding water and sewer rates and past handling of funds. Deputy Mayor Lockhart review past years billing and discussed purchases of meters and the new bond payment to Lewiston Water Treatment. Deputy Mayor Lockhart stated the funds over the years have been used within the Village to keep water and sewer rates lower and purchase equipment and fund the bond payment without passing this cost onto residents. The Village has settled on a rate for sewer with the Town of Porter going forward, and the proposed water and sewer increase are only covering the expenses to the Village at this point. Mr. Reisman asked the Board to consider spreading the increase out over a period of time. Deputy Mayor Lockhart stated that the rates are to cover current expenses, and to meet our expenses, the new rate is what must be charged at this point. Mr. Reisman added that he felt there should be funds to finish the water meter purchases. Deputy Mayor Lockhart replied that there are not funds in the rates at this time to allow for that. Moving forward the Board will be reviewing needs for equipment and infrastructure and taking those costs into consideration with the billing rates. Deputy Mayor Lockhart advised the Board felt passing on the rate increase to cover expenses for the upcoming fiscal year was the best decision for resident now, instead of adding capital project costs to the rate all at once. Mr. Reisman asked what Engineering firm was used and what they identified. Deputy Mayor Lockhart stated the GHD is the Village engineering firm on retainer. Most if the issues have not required GHD's input. The Village is identifying items internally through the DPW department. MR. Reisman stated the Village needs to exercise due diligence going forward and budget and show identified issues and items. Mr. Reisman asked why the meter replacement project was not complete at this point. Deputy Mayor Lockhart stated there were no funds budgeted last year or this year to purchase the remaining meters as the Board was trying to contain costs to the residents.

Ms. Andres of Main Street address the Board asking if the Village was buying more water than it was selling. Deputy mayor Lockhart stated that the percent for water loss has been brought down to approximately 25% which is an "ok" amount. A "tight" system is one with a water loss of under 20%. Deputy Mayor Lockhart advised the DPW has been working to identify leaks and problems with valves to bring the water loss amount down. Ms. Andres asked a question regarding transportation and what was included as it seemed high. Mayor Reynolds advised that the rest of the details and information were found on page four. Ms. Andres advised she understood what the budgeted lines represented.

Mr. Stevens of Lockport St. addressed the Board stating that he appreciated their efforts to identify financial issues that have arose from decades of issues. Mr. Stevens continued that by the Board “getting on top of the issues” the future of the Village will be more stable.

**CLOSE PUBLIC HEARING:**

Motion was made by Trustee Fox, seconded by Trustee Comerford to close the public hearing at 8:06 p.m. All in favor motion was carried.

**OFFICIAL ACTION OF THE BOARD:**

No official motions from the Board.

**PUBLIC COMMENT (regular meeting)--all comments shall be kept to 3 minutes and directed to the Village Board of Trustees.**

Mayor Reynolds opened the regular meeting to public comment. Mr. Kosto of Lockport St. addressed the Board regarding a large wildlife presence in the Village. Mr. Kosto stated he feels there are many animals damaging property and would not want to use poison to control it. Mayor Reynolds advised there is not much the Board can do in this area. The NYSDEC is in control of wildlife situations. Mayor Reynolds stated that he would reach out to the DEC to see if there was something they could suggest.

With no further public comment, Mayor Reynolds moved on to Departmental reports.

**DEPARTMENTAL REPORTS**

**POLICE:** Chief Schuey advised he turned his monthly report and had nothing additional to report.

**DEPARTMENT OF PUBLIC WORKS:** Superintendent Muller reported that they have started brush pickup. Superintendent Muller reported that they repaired a leak on Church St.

**ENGINEER:** Engineer Kaiser reported that there were no updates and that he is working on the costs associated with the next phase of the LWRP.

**GRANT WRITER:** Grant Writer Rotella apologized to the Board for missing the last several meetings due to family issues. Grant Writer Rotella reported that the next round of the LWRP opens May 1<sup>st</sup> and asked the Board to let him know if they wish to move forward. The match would be 75/25 moving forward for the LWRP. Engineer Kaiser will have his information together within the next two weeks for the Board so they are able to make a decision. Grant Writer Rotella stated there was no update for the waterline grant. Grant Writer Rotella stated he does have a new contact, and feels something could be decided soon as the new budget was passed for the State. Grant

Writer Rotella stated the Village should hear something in the next few months on the Greenway grant repurpose for Veterans Park.

Mayor Reynolds asked Grant Writer Rotella for updates on several other projects not addressed:

LED Sign grant-repurpose: Grant Writer Rotella advised it was in process.

Arts & Music grant: Grant Writer Rotella advised he had not heard anything. Claudia Andres in the audience advised she received a letter advising they did not receive the grant.

Smartboard grant/Police: Grant Writer Rotella advised it was in process.

Grant for Police of \$5,000.00: Grant Writer Rotella thought this was the grant for the smartboard. Chief Schuey advised it was not, they had spoken several months ago on it. Grant Writer Rotella advised it was in process.

Grant for a gun safe/Police: Grant Writer Rotella advised it was in process.

DPW grant/new truck: Grant Writer Rotella advised it was in process.

Security Camera's/Office: Grant Writer Rotella advise he has the info and the grant should be open anytime.

NYS Archives Grant: Grant Writer Rotella advised it is in process, time frame to hear something will be May or June.

**BUILDING INSPECTOR:** Building Inspector Stevens turned his monthly report in.

**ATTORNEY:** Absent

**CLERKS OFFICE:** Clerk-Treasurer Brown reported that the March financials were provided to the Board. The property tax cap must be filed by April 15, 2019, along with the Constitutional Tax Limit. The amount to be raised by taxes, within the 2% tax cap for 2019-2020 is \$684,863.00 which results in a tax rate of \$7.190415 per thousand dollars of assessed valuation (2018-2019 was \$668,893 with a tax rate of \$7.064323).

## **MINUTES**

Approval of, or changes to, the Board Minutes from March 14 (regular board meeting) and 28 (work session/public hearing), 2019.

Motion to accept the Board Minutes was made by Deputy Mayor Lockhart, seconded by Trustee Comerford. All in favor, motion was carried.

## **CORRESPONDENCE:**

The Friends of the Library will be holding Dessert & Wine in the Stacks on Friday April 12, 2019 from 6:00 p.m.-8:00 p.m.

So noted.

The DPW started Spring Clean-Up on Monday April 8<sup>th</sup>, running through April 22. Regular brush pick up will run Monday's from April 29-September 23.

So noted.

The Friends of the Library Spring book sale will run April 26-27, 2019.

So noted.

**AGENDA:**

**ABSTRACT OF AUDITED VOUCHERS**

Approval of the Abstract of Audited Vouchers for the period from March 15,-April 11, 2019 in the amount of \$91,672.09

General:	\$37,469.24
Water:	\$20,684.60
Sewer:	\$33,518.25
<u>Trust:</u>	<u>\$ 0.00</u>
Total	\$91,672.09

Motion to approve the abstract of audited vouchers as noted was made by Trustee Fox, seconded by Deputy Mayor Lockhart. All in favor. Motion was carried.

**ITEMS:**

**RECOGNITION OF SERVICE:**

Kim Cudmore, Recreation Director's service from October 2003 to March of 2019 with her retirement.

Mayor Reynolds presented Kim Cudmore with a certificate and gift for her 15 years of service to the Recreation Department at 6:45 p.m., prior to the Board meeting as Ms. Cudmore had obligation this evening. Mayor Reynolds thanked former Director Cudmore for all she had done for the Village and its programs and wished her well on behalf of the Village in her retirement.

**NIAGARA JET ADVENTURE:**

Discussion on upcoming events:

**Food & Fun Friday – would be a one (1) time event on Friday May 31<sup>st</sup> from 4pm to 7pm**

NJA would be looking to have a total of three (3) Food Trucks. They would be set up in a **U** formation in the parking area closest to our building.

**Monthly Jeep** – would run once (1) a month where the Jeep club members would come in and hold their monthly meeting. Outsiders would be able to “check-out” the Jeeps.

The following event was not on the agenda: **Wine Wednesday** – would run every Wednesday starting **May 29<sup>th</sup> ending August 28<sup>th</sup> from 5pm-8pm**. This would consist of a different winery featured. According to the Department of Health Inspector – Scott we would not require anything from them as long as the sample size was 2 oz. that the wineries will be handing out. The wineries tent would be set up on our commercial properties – nothing on the Village Public Property

Deputy Mayor Lockhart discussed the space limitations in the area. Trustee Fox added that they could not block space, and the NJA had not asked to have the road closed. Trustee Fox continued that he felt they were nice events. The Board agreed they were nice events, but would like more details about the space being used. Trustee Fox will reach out to the Niagara Jet Adventure for more details.

#### **BUILDING USE:**

Request from Youngstown Free Library to use the parking lot at the Village Center on Saturday May 4<sup>th</sup> from 9:30 a.m.-3:00 p.m. for a “Green Day” of recycling electronics and shredding. Insurance has been received.

Motion to approve the building use was made by Trustee Comerford, seconded by Trustee Fox. All in favor, motion was carried.

#### **AUTHORIZATIONS:**

Authorization for the Clerk-Treasurer to return any unpaid Village water/sewer bills with relevy fees for the quarter ending December 31, 2018 to Niagara County for inclusion to the Village property taxes for the 2019-2020 fiscal year in the amount of \$46,965.28 for water/sewer, \$3,600.00 for relevy fees, representing 23 accounts.

Motion for authorization to return the unpaid water/sewer and relevy amounts to Niagara County as noted was made by Deputy Mayor Lockhart, seconded by Trustee Fox. All in favor, motion was carried.

Authorization for the Clerk-Treasurer to move the water improvement charge funds from the January 2019 water billing in the amount of \$10,296.00 to the NYCLASS savings account towards the BAN payment.

Motion for authorization to move the water improvement charges as noted was made by Deputy Mayor Lockhart, seconded by Trustee Comerford. All in favor, motion was carried.

#### **ANNOUNCEMENTS:**

The next work session will be April 25, 2019 at 7:00 p.m. The next Board meeting will be May 9, 2019 at 7:00 p.m.

So noted.

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**BOARD REPORTS:**

Trustee Fox reported that he is still working on the street light project. There was a meeting with other Municipalities April 10<sup>th</sup>. Trustee Fox reported that we are at the point we should request a buyout utility agreement with National Grid. The agreement must be requested from the Village (user). The agreement does not bind the Village in any way.

Motion was made by Trustee Fox that the Village request a buyout agreement with National Grid. Trustee Zastrow seconded the motion. All in favor, motion was carried.

Trustee Fox continued that the master agreement with NYPA needs to be reviewed by Attorney Caserta. This agreement will set terms and does not bind the Village to anything. Trustee Fox reported that there is a new Smart Street Lighting grant that adds WIFI and other things to Main St. Trustee Fox will obtain more information in it; he does not believe all aspects fit the Village. Mayor Reynolds asked about other Municipalities choices. Trustee Fox remarked that it comes back to maintenance cost and handling, we have 155 lights to be converted. Trustee Fox will gather the information and forward to Attorney Caserta and the Board.

Trustee Comerford reported that the Recreation Commission met March 25<sup>th</sup>. The winter program for open gym is wrapping up. The Nancy Price run is all set for May 11<sup>th</sup>. The Toddler program will wrap up 4/12/19. Softball will begin in May. Celebrity bartending will be August 3<sup>rd</sup> at the Stone Jug. The next meeting for the commission will be April 29<sup>th</sup>. Trustee Comerford also acknowledged the new letter Sue MacNaughton is publishing and delivering to all Village residents.

With no further Board reports, Mayor Reynolds opened the meeting to public comment again.

**PUBLIC COMMENT--all comments shall be kept to 3 minutes and directed to the Village Board of Trustees.**

Mr. Greco of Parkside Place asked if Spectrum Cable (TWC) had exclusive rights in the Village. Mayor Reynolds advised they do not have exclusive rights.

Trustee Fox added that the Town of Porter contracted with a company that will audit all payments for utilities to ensure there have been no overbilling errors. There is no cost to the Village to participate in this review. If errors are found and refunds issued, the company takes a



percentage of the refund. Trustee Fox stated that other municipalities have had this done as well. The Board was in agreement that they would be willing to review the proposal. Trustee Fox will obtain more information on the process.

Mr. Kosto of Lockport St. asked if there was anything that could be done with the road conditions on Lockport St or the Niagara Scenic Parkway. Deputy Mayor Lockhart advised the roads are not maintained by the Village and the Board had been in contact with the DOT regarding Lockport St. numerous times. Deputy Mayor Lockhart stated that Lockport St. had not been identified, but not funded or prioritized to date by the DOT. Trustee Zastrow stated he thought the Niagara Scenic Parkway was maintained by the Parks Dept. Resident Patricia Raymond stated she worked for the Parks Department and the parkway was maintained by the DOT. Mr. Kosto stated they are in very poor condition and hoped the Board could help get them repaired.

With no further public comments, Trustee Fox motioned to adjourn the regular meeting at 8:47 p.m. Motion was seconded by Trustee Comerford. All in favor, motion was carried.

Submitted by;

Wendy Brown  
Clerk-Treasurer