

Village of Youngstown

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Village of Youngstown Board of Trustees Minutes – December 12, 2019

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

CALL TO ORDER

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

PRESENTATION OF PROCLAMATIONS: Captain Lloyd Schrack, Crewmate Selina Iozzo, Stephen D'Addario.

Mayor Reynolds called Captain Schrack and crewmate Iozzo to the front of the room for the presentation of the proclamations. Mayor Reynolds described the heroic efforts of the crew and passenger of the Niagara Jet Adventure boat on September 9, 2019. Passenger Stephen D'Addario was not able to attend, however, Mayor Reynolds read an email Mr. D'Addario had sent acknowledging the acts of the crew and the way the Jet Boat company handled the incident:

First let me begin with a heartfelt thank you for accepting and following through with my request of recognition for these individuals. Mr. Brian Price is also an exceptional person in many ways. He ensures that his personnel are welcoming, friendly, and his customers are greeted with a smile, above all that his people are exceedingly trained in safety procedures of the lower Niagara River and have exceptional navigational skills. So, hats off to Niagara Jet Adventure Tours and all that entails.

My wife and I wish to send our appreciation and congratulations to Captain Lloyd Schrack, First Mate Selina Iozzo and deepest thanks to Mr. Brian Price and his full staff at Niagara Jet Adventure Tours. Let me also say that I did this for the above people and not myself. I humbly accept this proclamation with our new friends and honorees. Thank you Mayor Reynolds, the Youngstown board of Directors and Ms. Jennifer Pauly President of Chamber of Commerce without your help this would not have happened.

I thank you for your invitation to be present for these presentations however we will not be able to attend at this time. Please convey our congratulations to all the honorees and I couldn't be prouder to be associated with all of them.

Sincerely,

Cheryl and Stephen D'Addario

The audience acknowledged with a round of applause for the recipients of the proclamations.

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

Mayor Reynolds opened the meeting to public comment. With no public comment, Mayor Reynolds moved to departmental reports.

DEPARTMENTAL REPORTS

POLICE: Chief Schuey was absent; however, he turned his monthly report in to the board.

DEPARTMENT OF PUBLIC WORKS: Superintendent Muller stated the DPW had been picking up leaves and servicing equipment.

ENGINEER: Engineer Keyser stated GHD continues to work on the REDI report and is moving forward with the geotechnical requirements. Mayor Reynolds added that he continues to work with Engineer Lannon and the Department of State for this process.

GRANT WRITER: Grant Writer Rotella was absent, but sent his report to the Board.

BUILDING INSPECTOR: Building Inspector Stevens stated the owner of the trees on Lockport Street has not been able to get far with their removal. Building Inspector Stevens spoke with the DOT and is working on trying to get the issue resolved.

ATTORNEY: Attorney Caserta stated everything would be addressed during the meeting.

CLERK'S OFFICE: Clerk-Treasurer Brown stated the November financials were turned into the Board for review. Clerk-Treasurer Brown stated that Sarah Dueling from NYS Archives met at the office with Grant Writer Rotella to review how a better grant could be written for the Archives grant. Clerk-Treasurer Brown stated she and Deputy Clerk-Treasurer Freiermuth took a webinar on the election process for the upcoming Spring elections.

MINUTES

Approval of, or changes to, the Board Minutes from November 14, 2019.

Motion to approve the minutes was made by Trustee Zastrow, seconded by Trustee Comerford. All in favor, motion was carried.

CORRESPONDENCE:

Letter received from the Youngstown Volunteer Fire Company pursuant to the existing fire protection contract that notice is served of their intent to terminate the existing contract at the expiration of the current fiscal year of May 31, 2019. The intent and request is for a new long term comprehensive contract be negotiated between the Village of Youngstown and the Youngstown Volunteer Fire Company.

Mayor Reynolds stated he felt this was going to be beneficial for both sides. So noted.

Copy of report of permit modifications approved for CWM Chemical Services, LLC-Model City Facility July 1-December 4, 2019.

So noted.

AGENDA:

ABSTRACT OF AUDITED VOUCHERS:

Approval of the Abstract of Audited Vouchers for the period from November 15-December 12, 2019 in the amount of \$32,763.97.

General:	\$31,156.13
Water:	\$ 1,406.71
Sewer:	\$ 201.13
<u>Trust:</u>	<u>\$ 0.00</u>
Total	\$ 32,763.97

Motion to approve the abstract of audited vouchers was made by Trustee Fox, seconded by Trustee Zastrow. All in favor, motion was carried.

ITEMS:

Moved from 11/14/19 work session-Request for motion to adopt a policy to authorize the Building Inspector to approve any variance needed for handicap accessibility to a property.

Deputy Mayor Lockhart made a motion that the Building Inspector be authorized to use his discretion for applications for handicap accessibility that may require a zoning variance with the understanding that the variance is temporary and removed when the need is resolved, reverting the property back to the original state. The variance on the permit must be renewed annually. Motion was seconded by Trustee Zastrow. All in favor, motion was carried.

Revised bill received from the Town of Porter with new sewer rates for O&M. Discussion on late fees, past due amount as well as payment in relation to contract sign off.

Mayor Reynolds stated the contract was returned to the Town of Porter with changes and until the contract was signed nothing should be paid. Attorney Caserta stated the Attorney for the Town of Porter stated the bill was sent in error with the late fees and past due, but asked if the sewer portion could be paid at the new agreed upon rate. The Board felt once the contract is signed the Village could pay the sewer portion at the new rate. Attorney Caserta will advise the Town of Porter Attorney.

Review of the condition placed by Planning Board decision for approval of the subdivision for Townhouses of Youngstown; with the condition that the Village received proper legal assurance of ownership of the individual utilities for each newly divided parcel.

Attorney Caserta stated that easements would be the best way to ensure there are no issues in the future, granting access to repair utilities on private property. Chairwoman Hanson was in attendance and stated that the property is currently owned by Steve Schmoyer and will be owned by him and his son once subdivided. The property has not been deeded yet. Attorney Caserta asked Mr. Schmoyer who the Attorney is representing him. Mr. Schmoyer stated Anthony Parone. Attorney Caserta advised Mr. Schmoyer to have Mr. Parone contact him and they would handle the mutual easement.

Motion was made by Trustee Zastrow to approve the easement requirement, seconded by Deputy Mayor Lockhart. All in favor, motion was carried.

Request for approval for a Budget amendment to move, \$16,066.00 budgeted from code A3001 for AIM to code A2750, newly created code by the State Comptroller's Office to reflect the new AIM program.

Motion to approve the budget amendment was made by Deputy Mayor Lockhart, seconded by Trustee Comerford. All in favor, motion was carried.

BUILDING USE:

Request from Fitness First by Linda to renew the gym use for exercise class on Tuesday and Thursdays from 9:00 a.m.-10:00 a.m. from January-December 2020. Insurance is on file.

Motion to approve the use was made by Trustee Zastrow, seconded by Deputy Mayor Lockhart. All in favor, motion was carried.

Request from the US Census Bureau to use the John Calvert room to conduct training May 6-8 and May 13-15, 2020 from 8:00 a.m.-5:00 p.m. on Wednesday and Thursdays and 8:00 a.m.-3:30 p.m. on Fridays. Insurance has been received.

Deputy Mayor Lockhart made a motion for approval to use the room, seconded by Trustee Fox. All in favor, motion was carried.

Request from Paul Beatty Jr. to hold the 2nd annual St. Patrick's 5K Run on Saturday March 14, 2020. The race will begin at 11:00 a.m. near the Youngstown Volunteer Fire Co and finish at Somewhere Restaurant. Last year saw 150 runners and raised \$500.00 for the Youngstown Volunteer Fire Company. Also a request to use the gymnasium to hand packets out from 9:00 a.m.-11:00 a.m. on the 14th if they are unable to use the fire hall that morning. Insurance will be sent for the event.

Trustee Zastrow made a motion to approve the event, seconded by Trustee Comerford. All in favor. Motion was carried.

Trustee Zastrow made a motion for approval to use the gym if necessary, seconded by Trustee Fox. All in favor, motion was carried. Mr. Brian Pryce of the Niagara Jet Adventure asked if the route could avoid the parking lot area on Third and Church. The Board advised the information would be shared with the Police Dept. and organizers.

Request from Riverview Fitness to hold (renew use) Silver Sneakers fitness classes from January 2020- December 2020 on Monday from 10:00 a.m.-12:15 p.m., Wednesday 10:00 a.m.-11:00 a.m. and Friday 11:30 a.m.-12:15 p.m. Insurance is on file.

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

ANNOUNCEMENTS:

Christmas in the Village will take place on Saturday December 14, 2019 from 11:00 a.m.-4:00 p.m. There will be vendors, horse and carriage rides, crafts for the kids, and a visit from Santa! The business district will also be offering a fun filled event, make sure to stop and check out all our wonderful businesses.

So noted.

The next Board meeting will be January 9, 2019 at 7:00 p.m. The Board will enter into a work session following the regular meeting. The Board will enter into Executive session following the work session regarding litigation matters.

So noted.

OLD BUSINESS: None

NEW BUSINESS: Deputy Mayor Lockhart stated that Chief Schuey asked if the 4 wheeler could be declared surplus as they no longer use it. The Board discussed taking bids with a

minimum bid required. Superintendent Muller stated that the discussion previously had by the Board and departments regarding the use of the 4 wheeler by the DPW was no longer feasible and his Dept. cannot use the 4 wheeler. This will be tabled until Spring when the item will be declared surplus and bids will be taken to sell it.

BOARD REPORTS:

Trustee Fox reported that his trip to Albany for the REDI meeting was very productive. Trustee Fox met the Governor and the VP of DASNY. Trustee Fox was able to speak about the waterline grant status and by the end of the meeting had received an update from the VP regarding the grant status. Trustee Fox continued with details from the meeting on the REDI grant. Trustee Zastrow asked if anyone committed to what the water levels would be. Mayor Reynolds and Trustee Fox advised they have not. They continued that GHD is studying that currently. Deputy Mayor Lockhart and Brian Pryce of the Jet Boat discussed water levels and plans to handle the issues surrounding the flooding with Mayor Reynolds, Engineer Keyser, and Trustee Fox. Mayor Reynolds advised that he had been in contact with Jonathan Schultz of Niagara County Emergency Management to discuss option in case of flooding in the Spring.

Trustee Fox added that the street lighting project should be completed in January.

Trustee Comerford reported that the Recreation Department held its meeting November 25, 2019 with Mayor Reynolds in attendance. Recreation has hired Jeffery Graurin as the new Director. The toddler program will begin in January.

Motion to approve Jeffery Graurin as the Recreation Director effective December 5, 2019 was made by Trustee Comerford, seconded by Trustee Fox. All in favor, motion was carried.

Deputy Mayor Lockhart reported that he attended a WebEx on the joint application to cover the permit for the REDI initiative. The DEC and Army Corp of Engineers will be involved and all are trying to expedite the process. Regulations will not be waived and public comment requirements could be 15-45 days. These steps must be taken to execute the contract.

Mayor Reynolds reported that he has been attending meetings with other local Supervisors and Mayors regarding the impact on local business and tourism from the high flood waters. The committee is trying to get positive publicity for the waterfront communities. The next meeting will be 1/9 where the local news agencies will be invited to see the communities working together and adopting resolutions to further these actions.

Mayor Reynolds reported that Trustee Fox and Deputy Mayor Lockhart will be attending meeting with the Department of State over the next few weeks.

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

Mayor Reynolds opened the meeting to public comment. With no public comment, motion to adjourn the regular meeting and enter into the work session was made at 8:12 p.m. by Trustee Zastrow, seconded by Trustee Comerford. All in favor motion was carried.

Submitted by:

Wendy Brown
Clerk-Treasurer