



INCORPORATED:
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Village of Youngstown

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Village of Youngstown Board of Trustees Minutes – September 9, 2021

PRESENT: Mayor Reynolds, Deputy Mayor Fox, Trustee Comerford, Trustee Quarantillo, Trustee Reisman, Attorney Caserta, Chief Sutor, Building Inspector Stevens, Engineer Lannon, Clerk-Treasurer Brown, **ABSENT:** Grant Writer Rotella, Superintendent Muller, Recreation Director Gruarin.

CALL TO ORDER:

Mayor Reynolds called the meeting to order at 7:03 p.m. with the Pledge of Allegiance. Mayor Reynolds then opened the meeting by reading the first public hearing for local law 2-2021.

PUBLIC HEARING 1:

The Village of Youngstown Board of Trustees will hold a public hearing for considering a Local Law allowing the Village of Youngstown to opt out of the provisions of Section 131 of the Marijuana regulation and Taxation act of 2020 on Thursday, September 9, 2021 at 7:00 p.m. in the Village Center (240 Lockport Street) Board Room.

Local Law 2-2021:

Section 1. Legislative Intent.

It is the intent of this local law to opt the Village of Youngstown out of hosting on-site cannabis consumption establishments within the unincorporated areas of its boundaries.

Section 2. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 3. Authority.

This local law is adopted pursuant to the Marijuana Regulation and Taxation Act Section 131, which expressly authorizes cities, towns and villages to opt-out of allowing on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 4. Local On-Site Consumption Opt-Out.

The Village Board of the Village of Youngstown, County of Niagara, hereby opts-out of licensing and establishing cannabis consumption establishments within the unincorporated areas of its boundaries.

Section 5. Permissive Referendum as Per Section 131.

This local law is subject to permissive referendum in accordance with the Marijuana Regulation and Taxation Act Section 131.

Section 6. Effective Date.

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law. Pursuant to Marijuana Regulation and Taxation Act Section 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

PUBLIC COMMENT HEARING 1:

Mayor Reynolds opened the meeting to public comment and explained that the Village must opt out at this time as once the December 2021 time frame passes we no longer have an option to opt out. If needed the Village could amend the law in the future. Attorney Caserta added that this has to be completed by 12/31/21 and NYCOM guidance is still vague at this time. This option helps regulate things for the Village. John Stevens of Lockport Street made comment that he felt the Village should opt out of this. With no further public comment Mayor Reynolds moved on to the second public hearing.

PUBLIC HEARING 2:

The Village of Youngstown Board of Trustees will hold a public hearing for the purpose of considering a proposed contract with the Youngstown Volunteer Fire Company on Thursday, September 9, 2021 at 7:00 p.m. in the Village Center (240 Lockport Street) Board Room.

PUBLIC COMMENT HEARING 2:

Mayor Reynolds opened the hearing to public comment. Deputy Mayor Fox stated that he was happy that we reached an agreement with the Fire Company and recommends we sign the contract. With no further public comments Mayor Reynolds moved on to the regular public comment portion of the meeting.

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

Richard Allen Second VP of the Youngstown Lions addressed the Board. Mr. Allen reviewed the improvements to the park over the last few years. Mr. Allen stated that this is a centennial project and the Lions are applying for a 501(C)(3) as well. The plan for this year is to complete the loop in the walk way. 100 tons of stone are needed and the Lions are seeking approval from the Board for the DPW to assist on the project. Mayor Reynolds stated he felt the Village could assist and things would need to be coordinated with Superintendent Muller. Mr. Allen also displayed a new plaque that will be affixed to a bench in the park thanking the Village for the support of the park.

With no further public comment Mayor Reynolds moved to the public hearings, calling for any further public comment on hearing 1. With no public comment, Mayor Reynolds called for a motion to close public hearing number 1. Deputy Mayor Fox made a motion to close the public hearing 1, seconded by Trustee Quarantillo. All in favor, motion was carried.

Deputy Mayor Fox made a motion for local law number 2-2021 to opt out of the provisions of Section 131 of the Marijuana regulation and Taxation act of 2020. Trustee Quarantillo seconded the motion. All in favor, motion was carried.

Mayor Reynolds called for any further public comment on public hearing number 2. With no further comments, Mayor Reynolds called for a motion to close public hearing number 2. Motion to close public hearing number 2 was made by Trustee Comerford, seconded by Deputy Mayor Fox. All in favor, motion was carried.

Motion to approve the Youngstown Volunteer Fire Company as presented and authorize Mayor Reynolds to sign the contract was made by Trustee Comerford, seconded by Deputy Mayor Fox. Mayor Reynolds and Trustee Quarantillo were recused from vote as they are members of the fire company. Roll call was taken:

Trustee Comerford-Aye, Deputy Mayor Fox-Aye, Trustee Reisman-Aye

All in favor, motion was carried.

DEPARTMENTAL REPORTS

POLICE: Chief Suitor stated he had nothing to report.

DEPARTMENT OF PUBLIC WORKS: Absent. Mayor Reynolds reported that Superintendent Muller advised there were approximately \$20,000 in sidewalk repairs that needed to be completed and would like the Board to approve the amount he can spend. The Board would like to know which sidewalks need repair and amounts for each one. Mayor Reynolds also added that the DPW has been working on the leaf machine and are waiting for parts, have completed varnishing the gym floors, and are cleaning sewers.

ENGINEER: Engineer Lannon reported that the REDI project was thrown a curve ball by the YYC notification to not participate in the program. The information has been given to the REDI commission and an alternative plan is being discussed for a project to continue. Mayor Reynolds stated he met with Nick Melson REDI project manager for NY Canal Corp. The meeting went well and all are in support of defining a project that will work for all. Engineer Lannon continued discussing the specifics of fees for cost recovery on projects presented to the Village. The Board, Engineer Lannon and Attorney Caserta discussed several ideas and information. Attorney Caserta will draft code wording and fees to present to the Board.

GRANT WRITER: Absent. Emailed a report update.

BUILDING INSPECTOR: Building Inspector Stevens reported that Mike Valdiserri of Zambelli Fireworks wanted to thank the Board for their assistance with allowing the firework display and extended an open invitation to the Village to watch the display. Building Inspector Stevens also reported that Mr. Howey has cleaned up his property and things are progressing.

ATTORNEY: Attorney Caserta reported that the IDA has approved the PILOT for EW & KS Holdings. The 15 years duration is typical of what is granted to manufacturing projects. Attorney Caserta addressed the use of the LED sign further in the agenda stating he wanted to review other municipalities policies and indicating he felt there would need to be strict rules for usage and is not sure it is a good idea.

CLERKS OFFICE: Clerk-Treasurer Brown reported that August financials have been distributed to the Board for review. Clerk-Treasurer Brown added she and Deputy Clerk-Treasurer Freiermuth would be attending NYCOM conference the week of 9/20.

RECREATION: Absent, Trustee Reisman reported that the Dog Park is now open and being used. We will add this to the LED sign. Trustee Reisman reported that fall recreation programs will be starting 9/22, and Family night will be Friday's from 6:00-8:00 p.m. Toddler time will resume on Friday mornings from 9:30-11:00 a.m.

MINUTES

Approval of, or changes to, the Village Board meeting minutes of August 12, 2021.

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

AGENDA:

ABSTRACT OF AUDITED VOUCHERS:

Approval of the Abstract of Audited Vouchers for the period from August 13- September 9, 2021 in the amount of \$37,737.84.

General:	\$36,481.60
Water: \$	145.00
Sewer: \$	161.24
<u>Trust: \$</u>	<u>950.00</u>
Total \$	37,737.84

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

ITEMS:

Discussion/date for Christmas in the Village (December 11).

The Board discussed the date for Christmas in the Village and if it would be able to be held this year. The date will be December 11, 2021 and the plan will be to stipulate the event will be held within current pandemic protocols and guidelines. Trustee Comerford will be Chairperson and

Trustee Reisman will be co-Chair as Recreation is very involved in the activities. Clerk-Treasurer Brown will contact the carriage ride provider/

Opening use of the LED sign to groups/individuals for a fee (\$5.00 for a day) to “advertise” a message. Non-profit groups would still have no charge.

Attorney Caserta had some concerns/questions on this item. Attorney Caserta requested policy information from other municipalities that do this with their signs. The Board in earlier discussion was in agreement with the idea. Clerk-Treasurer Brown will get a policy and forward to Attorney Caserta and the Board.

AUTHORIZATION:

Authorization for Mayor Reynolds to sign the annual software support contract for municipal payroll software 6/1/21-5/31/22 in the amount of \$1,088.00 with Williamson Law Book.

Motion to approve Mayor Reynolds signing the payroll software contract with Williamson was made by Trustee Quarantillo, seconded by Deputy Mayor Fox. All in favor, motion was carried.

Authorization for Mayor Reynolds to sign the contract for a two year term 6/1/21-5/31/23 with the Youngstown Volunteer Fire Company as presented.

Authorization for Mayor Reynolds to sign the Fire Co contract was made after closing of public hearing number 2.

RESOLUTION:

Request for resolution pursuant to NY Village Law Section 10-1006, for approval of Richard Collins as a member of the Youngtown Volunteer Fire Company. The Youngstown Fire Company has accepted Mr. Collins as a member of the fire company he resides on Main Street.

Motion for resolution for Mr. Collins was made by Trustee Quarantillo, seconded by Deputy Mayor Fox. All in favor, motion was carried.

Request for resolution pursuant to NY Village Law Section 10-1006, for approval of Stuart Comerford as a member of the Youngtown Volunteer Fire Company. The Youngstown Fire Company has accepted Mr. Comerford as a member of the fire company he resides on Lockport Street.

Motion for resolution for Mr. Comerford was made by Trustee Quarantillo, seconded by Deputy Mayor Fox. All in favor, motion was carried.

BUILDING USE:

LPYF Cheer is requesting use of the gym beginning Sept 14th-November 4th on Tuesday and Thursdays from 6:00 p.m.-8:00 p.m. for cheer practice. Recreation Director Gruarin has approved the use and insurance is on file.

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

ENGINEERING RECOVERY COST REGULATIONS:

Discussion regarding fees incurred with GHD in relation to any projects conducted in the Village requiring SEQR review, stormwater management, sewage disposal system connection/admin or any other additional expenses incurred by the Village in a project.

Discussed during Board reports by Engineer Lannon, Attorney Caserta, Building Inspector Stevens and the Board. Attorney Caserta will put together information for a code on this.

CLOSE PUBLIC HEARINGS: (7:16 p.m. hearing 1 and 7:17 p.m. hearing 2) see notations above.

ANNOUNCEMENTS:

The next Village Board meeting will be October 14, 2021 at 7:00 p.m. The next work session will be October 28, 2021 at 7:00 p.m. The Board will enter into Executive session immediately following the regular meeting for litigation matters.

So noted. The Executive session will be for personnel matters instead of litigation matters.

OLD BUSINESS: None

NEW BUSINESS: None

BOARD REPORTS:

Trustee Comerford reported that he attended the Niagara Chamber meeting and reviewed the upcoming events coming in Lewiston and noted they have a new Director.

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

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

Building Inspector Stevens asked if the Board had determined a path regarding mowing of the vacant lots on Elm/Oak area. Discussion continued on easements and past handling of mowing. Attorney Caserta will research easements on the property as well as the Clerk's Office searching for them.

With no further comments, motion to adjourn the regular session and enter into Executive session was made at 8:45 p.m. by Trustee Quarantillo, seconded by Trustee Comerford. All in favor, motion was carried.

Motion to adjourn the Executive session was made by Trustee Quarantillo, seconded by Trustee Comerford at 9:17 p.m. All in favor, motion was carried.

Motion to adjourn the regular session was made by Trustee Quarantillo, seconded by Trustee Comerford at 9:17 p.m. All in favor, motion was carried.

Submitted by:

Wendy J. Brown
Clerk-Treasurer