

## PUBLIC HEARING - MAY 12, 2011

Mayor Riordan opened the Public Hearing with the Pledge of Allegiance at 7:00 p.m. Also present were Deputy Mayor Reynolds, Trustees Adamson and VanDeusen, Attorney Caserta, several interested residents and one reporter. Trustee Suitor was absent.

The Mayor asked for public comment. Tony Clark of the Historical Museum asked the Board if they had made a decision on a request to place a sign in the Village Center entry directing the public to the Museum. Mayor Riordan asked that the size and area for placement be given to the Board before final approval is made. Mr. Clark will do so as soon as the hand craved sign is completed.

Norman Swann of Brampton Rd. stated his neighborhood and many areas in the Village are still not cleaned up from the wind storm on April 28, 2011 and commented on work he sees not done. He asked who would be negotiating the next union contract for the Village with the three DPW union members. Mayor Riordan stated he would be. Mr. Swann stated this should be done by at least three Board members, not one and that things have gotten out of hand with the union. Mr. Swann reported that although he is now retired, he was a union member. He then reported sitting outside the DPW complex three weeks ago and no worker left the complex during his 1 ½ hour stay.

Mr. Swann then stated the marina on Water St. has a mess on the premises. Mayor Riordan stated a letter had been sent to the owner in this regard and a response that the clean up would be done. The Mayor will follow up on this complaint with a telephone call to the owners.

Mr. Swann then stated he recently returned from a trip to Florida where the community was eliminating the use of some street lights to cut costs.

Amy Witryol, of Lewiston briefed the Board on recent events involving CWM and shipments of PCB's from the Hudson River. Mayor Riordan told Ms. Witryol that her statement would be entered into the meeting minutes.

Rod Fairbank of Water St. thanked Trustee Adamson and Engineer Gallucci who was absent, for coming to the Water St. area to view and discuss matters regarding the Greenway project. Norman Swann stated he had not heard about this and asked the Mayor about the Greenway plans. Mayor Riordan explained the plan and how financial distribution was made. He stated he must now appeal solicitation for a portion of recipients funds. Matching funds are also needed. A discussion took place regarding CWM waste funds which have been cut by the Town of Porter to the Village.

Jeff Adams of 703 Main St. reported a problem with a pipe at the edge of the water embankment. The Mayor stated someone from the DPW will check on the matter.

Mr. Manuse of 576 East Oak Terrace stated the drainage ditch near his home is plugged and has become a pond of water with the drainage from the Robert Moses Parkway. A discussion took place regarding the history of this continued problem. Mayor Riordan will be meeting with Senator Maziarz soon and will request the drainage problem be addressed.

Fred Stephens of Carrollwood Dr. stated a letter is forthcoming from the Youngstown Yacht Club requesting possible use of the Village dock during a June 17<sup>th</sup> event and what guidelines

they must follow. Mr. Stephens then asked if the DPW Superintendent is required to attend Board meetings so he can hear problems as they are brought up.

The Mayor then read the Notice of Public Hearing.

#### NOTICE OF PUBLIC HEARING-Local Law 1-2011

Notice is hereby given that, pursuant to Village Law, a public hearing will be held by the Board of Trustees of the Village of Youngstown, at the Village Center, 240 Lockport St., Youngstown, NY, on Thursday, May 12, 2011 at 7:00 p.m., for the purpose of hearing and considering all interested persons concerning the amendment of Section 250.13.B(2) of the Zoning Law of the Village of Youngstown, NY to add the additional home based occupations of financial planner/financial analyst.

A. Accessory uses.

(2) An office or studio of a resident: medical or osteopathic physician, dentist, physiotherapist, chiropractor, podiatrist, chiropractor, lawyer, engineer, architect, accountant insurance agent, real estate agent, artist, musician, teacher, optometrist or ophthalmologist, financial planner/financial analyst, provided that:.....

At 8:00 p.m., with no comment regarding the Local Law, Trustee Adamson motioned to close the Public Hearing, seconded by Deputy Mayor Reynolds.

Building Inspector Choboy was absent but submitted his monthly report for April. Six permits were issued for work estimated at \$76,700., one certificate of occupancy issued and two driveway permits issued for work estimated cost of \$3800. One out-dated permit was voided by Inspector Choboy and fees collected totaled \$510.

Police Chief Salad was absent but submitted his April report. 201 patrol hours logged, 1,276 patrol miles logged, 14 Village calls, 11 Town of Porter calls, 14 calls outside the Village, 5 UTT's, 4 parking tickets issued and 1 arrest.

DPW Superintendent Muller was absent but submitted his monthly report. Ten hours of overtime was worked and 40.42 tons of garbage collected.

Attorney Caserta will address issues as they come during in the meeting.

The minutes of the April 28, 2011 meeting were approved by motion of Trustee Adamson, seconded by Trustee VanDeusen and carried.

#### **CORRESPONDENCE**

1. Utility taxes received from Accent Energy - \$17.17. So noted
2. Water gallonage report for March 31-April 29, 2011 down 50,770 gallons per day for the same time period last year. So noted.

#### **AGENDA**

1. The Abstract of Audited Vouchers for period ending May 12, 2011-General Fund-\$42,563.69, Water Fund-\$901.16, and Sewer Fund-\$544.77 were approved by motion of Trustee Adamson, seconded by Deputy Mayor Reynolds and carried.
2. Request from Village of Lewiston for annual contribution to shared fire works Display costs. Our annual contribution has been \$500. Deputy Mayor Reynolds motioned to send the same contribution this year, seconded by Trustee VanDeusen and carried.

3. Authorization for the Mayor to sign the annual Waste Tax Agreement with the Town of Porter for \$20,000. which is down from last year's distribution of \$35,000. was made by motion of Deputy Mayor Reynolds, seconded by Trustee Adamson and carried.
4. A letter of resignation from Historian Janet Jachlewski was accepted with regret by the Board. The Mayor will draft a letter of thanks to Mrs. Jachlewski.
5. Authorization to attend the Niagara County Clerk's Association meeting on 5/19/11 was made by motion of Trustee VanDeusen, seconded by Trustee Adamson and carried.
6. Water shut off for non-payment of water/sewer bills scheduled for Tuesday, June 7, 2011 at 1:00 p.m. for the period of March 31<sup>st</sup> quarter end by motion of Trustee Adamson, seconded by Deputy Mayor Reynolds and carried.
1. Deputy Mayor motioned to authorize the Clerk to transfer \$14,400. from F9950.0 (Transfer to Capital Projects Fund) to F231 (Water Line Special Reserve Savings Account) inasmuch as the funds have not been expended during the fiscal year and will be therefore reserved for future water line projects. Seconded by Trustee Adamson and carried.
2. Authorization for Mayor Riordan to sign the Fire Protection Contract with the Youngstown Volunteer Fire Company in the amount of \$96,862., reflecting a 3% increase for the fiscal year June 1, 2011 through May 31, 2012 was made by motion of Trustee Adamson, seconded by Trustee VanDeusen. Deputy Mayor Reynolds abstained due to his membership with the Fire Company.
3. Authorization of transfer of appropriations for 2010-2011 General Fund budget in the amount of \$28,883. and Sewer Fund budget in the amount of \$700. to offset any overspent line items was approved by motion of Trustee VanDeusen, seconded by Deputy Mayor Reynolds and carried.
10. Approval of monthly balance sheets, revenues and appropriation reports for the General, Water, Sewer and Trust Agency Funds for the period ending April 30, 2011 was made by motion of Deputy Mayor Reynolds, seconded by Trustee Adamson and carried.
11. A motion to close the Public Hearing was approved earlier in the meeting. Trustee Adamson motioned to approve Local Law 1-2011, seconded by Trustee VanDeusen, moved for adoption and duly carried.
12. Authorization to amend the 2010-2011 fiscal year budget to increase revenue code A1001 (Taxes Receivable) by \$1,681.22 and A1090 (Interest & Penalties) by \$764.62 was made by motion of Trustee VanDeusen, seconded by Deputy Mayor Reynolds and carried.
13. Authorization to transfer \$20,000. from A5110.2 (Street Maintenance Capital Fund) and \$4,500. from A5142.2 (Snow Removal Capital Fund) to A231.a (Special Reserve Street Equipment Savings Account) as the funds have not been expended during the fiscal year and will therefore be reserved for future equipment purchases was made by motion of Deputy Mayor Reynolds, seconded by Trustee VanDeusen and carried.

14. The next Board meeting is scheduled for May 26, 2011.
15. The organizational meeting for the new fiscal year was set for June 9, 2011 at 7:00 p.m.

**OLD BUSINESS** No old business discussed

**NEW BUSINESS** No new business discussed.

### **REPORTS**

Trustee Adamson reported the DPW is busy with storm clean up. He suggested that the Village call the Town of Lewiston for some shared service help to complete the work. Mayor Riordan will call the Town of Lewiston in this regard. Trustee Adamson stated during the storm, roof shingles were blown off of the Cold Storage building. He asked if the Niagara County prisoner work program could pick up the shingles to allow the DPW crew to work on other jobs. The Mayor will contact the Sheriff's Department for assistance. The Mayor suggested that a list be made of other jobs which the work program participants could possibly help with throughout the Village.

Trustee Adamson stated contractor John Stevens will soon begin work at Vets Park. Trustee Adamson also reported the ball field has been seeded and drainage installed. A requested heating system bid was received for the Village Center building. The one year contract is less expensive than the current maintenance coverage. Trustee Adamson motioned to accept the inspection contract with O'Connor Mechanical Corp. at the rate of \$425. per year, seconded by Trustee VanDeusen and carried.

A discussion took place regarding a problem at the south dock / Water St. area with the management personnel at Petroy Marina. A letter had been sent to the owner and some improvement was made to the area. The problem has re-occurred in a matter of weeks. The Village Police will be asked to tow boats / vehicles to eliminate the take-over of public space on Water St. North Dock was also discussed and Trustee VanDeusen stated it appears to be under utilized. Mayor Riordan stated the Niagara Riverkeepers are willing to do plantings at the embankment at North Dock.

The Mayor announced Melloni's Market Place will have its ribbon cutting and opening on Saturday, May 14<sup>th</sup> at 9:00 a.m. He also stated work has begun on the Peace Garden and will be soliciting the donation of a large boulder so that a placard can be mounted, marking the garden. Mayor Riordan also stated he will be meeting soon with Senator Maziarz regarding funding for the Fort Niagara project.

Norman Swann asked the Board if a decision has been made regarding the batting cage at Vets Park. Trustee Adamson stated he will discuss the matter with Recreation Director Cudmore. Mr. Swann then asked for an update on the Cold Storage site. The Mayor stated there was only one bidder and the bid did not include demolition. Mr. Swann then stated the no parking signs placed at the Cold Storage area could be dangerous to children who might climb on them and falls.

The Clerk's written financial report to augment the monthly revenue and expense journal for the period ending April 30, 2011 was provided to each Board member for review and is on file in the Clerk's Office.

With no further business, the meeting was adjourned at 8:30 p.m. by motion of Trustee Adamson, seconded by Deputy Mayor Reynolds and carried.

Respectfully submitted,

Barbara J. Castilon  
Clerk Treasurer