

PUBLIC HEARING – OCTOBER 25, 2012

Mayor Reynolds called the Public Hearing to order at 7:00 p.m. with the Pledge of Allegiance. Also present were Deputy Mayor Suitor, Trustees Adamson, Lockhart and VanDeusen, Attorney Caserta, Building Inspector Stevens, DPW Superintendent Muller, Police Chief Salada and several interested residents.

The Mayor then read the notice of Public Hearing: Local Law 1 of 2012, a Local Law to add Chapter 67, Animals, Article IV regarding raising of fowl to the Village Code of the Village of Youngstown, NY and Local Law 2 of 2012 to add Chapter 67, Animals, Article V regarding keeping Birds of Prey to the Village Code of the Village of Youngstown, NY. He then asked for public comment regarding the laws.

Patricia McGrath of East Oak Terrace questioned the measurements in Local Law 1-2012 and asked who the Village animal control officer is. Mayor Reynolds stated the Village does not have an animal control officer but will have Building Inspector Stevens assume the duty as needed. Mrs. McGrath questioned his qualifications. Inspector Stevens stated he was qualified to check the construction and maintenance of the chicken coop. Mrs. McGrath read a brief statement of information she had obtained on the internet regarding other states experiencing disease issues from chickens including salmonella.

Trustee Adamson gave recommendations on chicken coop setbacks and permitting chickens on lots which are $\frac{3}{4}$ of an acre in size, thus eliminating infringement on neighbors. He stated most homes in the Village are zoned R-11 and don't qualify due to lot size limitations.

Beverly Jasinski of Lockport St. questioned the licensing fees and was told by Mayor Reynolds that the fees and measurement setbacks will be discussed and determined tonight by the Board during the Public Hearing.

Trustee VanDeusen asked if anyone attending the meeting was interested in having chickens. Mark Fox of Lockport St. stated he would be interested and he has the acreage to accommodate the chickens and coop.

Kristel Stevens reported the salmonella problems Mrs. McGrath referred to were found in commercial chicken raising, not in the home raising pet situation. She also expressed her thoughts in that such a project is educational and a healthy experience for children.

An unidentified male resident stated the average house cat carries more germs than the chickens.

Mrs. McGrath expressed her concerns that approving the Local Law for housing chickens could open the door in the future for requests to house pigs and other animals. Mayor Reynolds stated Local Law 1-2012 is for fowl and if in the future someone wanted other animals, that matter would be addressed then and would have nothing to do with tonight's Local Law. Mrs. McGrath then asked if the neighbors near the home requesting a bird of prey (LL2-2012) have been notified. Mayor Reynolds explained that was done by placing the legal notice and postings throughout the Village for the proposed Local Law. Devon Gildner, the student requesting permission to house the bird of prey stated she would present a signature sheet to neighbors if needed.

Mrs. McGrath asked what will happen with the bird of prey coop once the bird is released. Ms. Gildner stated the coop will go with her to Cornell. A brief discussion took place regarding taxation on a coop. Attorney Caserta stated sheds are not taxed and the coop would basically fall into that category. Taxing would occur only if the Assessor thinks a shed or coop enhances the value of a property.

Georgia Duncan of Lockport St. asked if roosters would be permitted. Mayor Reynolds stated roosters would not be permitted.

The Board then filled in the blanks for measurement and fee information to complete the two Local Laws. Upon completion, the Mayor once again went over the data so the public was aware of Board's collective decisions. Mayor Reynolds asked for any further comment to either proposed Local Law. With no additional comment, Deputy Mayor Sutor motioned to close the Public Hearing portion of the meeting at 7:50 p.m, seconded by Trustee Lockhart and carried

Mayor Reynolds asked for public comment on other matters. Norman Swann of Brampton Rd. stated the open basement problem was resolved but the Cold Storage site remains a time-bomb and needs to be torn down. He reported seeing an open door at the site and expressed his thoughts that the brush and bushes surrounding the building should be cut down for a clear view and that the Village Police and DPW crew should be patrolling that area twice a day. He expressed his concerns of children entering the building and being hurt or worse. Mr. Swann went on to state his concerns of the recent windy conditions knocking down tree branches all over the Village which are not being picked up. He also stated his concerns of other DPW work items not done. DPW Superintendent Muller addressed Mr. Swann's statements and a brief discussion ensued between the two. Mrs. McGrath stated her satisfaction with the DPW's work.

Mrs. McGrath then reported low hanging trees in her neighborhood which could possibly knock out electrical power if hit or blown down. Mayor Reynolds stated this was the first he had heard of the problem but stated the Village Arborist is making a list of tree concerns and problems and will be made aware of the situation.

Building Inspector Stevens stated he will have the Cold Storage secured tomorrow. He then reported on a property maintenance issue. Mrs. McGrath asked Mr. Stevens why the Cold Storage site is not torn being down. Trustee Adamson answered stating the cost would be \$150,000. and that the Board does not want to put that burden on the taxpayers. Norman Swann expressed his concerns in the event of a fire in the Cold Storage building; the firemen could be injured entering the building. Mayor Reynolds stated the Youngstown Volunteer Fire Co. is aware of the building's unsafe conditions and will not send anyone into the building in the event of a fire. It would be fought from outside the building only.

Inspector Stevens also reported the unsafe condition at the Sahota property on West Oak Terrace has been resolved with the basement fill-in work started and completion expected tomorrow.

Police Chief Salada stated his report had been submitted at the first October meeting. He stated his department does patrol the Cold Storage site area but will step up their checks. Also, extra patrols will be on duty for Halloween at no cost to the Village due to grant funds received.

DPW Superintendent Muller submitted his monthly report at the previous October meeting and reported piping work has been completed at 222 Lake St. The DPW crew is currently working on leaf and brush pick up. The snow plows have also been placed on the trucks in preparation for winter.

Attorney Caserta will address items as they come up during the meeting.

The minutes of the October 11, 2012 Public Hearing were approved by motion of Trustee Adamson, seconded by Deputy Mayor Sutor and carried.

CORRESPONDENCE

1. Utility taxes received from Accent Energy-\$13.10, Granite Telecom-\$1.36, TWC Telecom-\$93.44, ACN Communications-\$5.15, AT&T-\$2.37, Birch Communications-\$6.21 and Vonage-\$6.57. Sales Tax distribution for September-\$46,225.19, up \$3,166.53 from the same time period last year. So noted.
2. Reminder of tire collection day to be held on Saturday, October 27, 2012 for Village of Youngstown and Town of Porter residents at the Ransomville Fire

Hall from 8:00 a.m. – 2:00 p.m. So noted.

3. Youngstown Recreation Dept. will host its annual Halloween parade with registration at the Red Brick School at 12:30 p.m. and a party to follow. So noted.
4. Trick or Treating will be held on Wednesday, October 31, 2012 from 5:00-7:30 p.m. So noted.

AGENDA

1. A motion to close the Public Hearing was made earlier in the meeting.
2. The Abstract of Audited Vouchers for period ending October 25, 2012-General Fund-\$42,891.40, Water Fund-\$1,035.80 and Sewer Fund-\$59,854.99 was approved by motion of Deputy Mayor Sutor, seconded by Trustee Adamson and carried.
3. Update on Sahota property basement issue. The matter was addressed earlier during the Building Inspector's report.
4. South dock ramp update. The Village Engineer has submitted permits to the Army Corp of Engineers and DEC for ramp repair. A brief discussion took place regarding when permission will be granted to the Village and when work would begin.
5. Interest in Ullrich Lane stub street. Mayor Reynolds gave a brief history of the property and the stub street behind property owned by Gordon and Mary Ellen Tower on Church St. / Blairville Rd. The Mayor and Attorney Caserta have met with the Nelson's at the site and have reviewed a map of the area. Attorney Caserta stated neighbors have been asked if they were interested in the stub street but due to its location, the Nelson's would be the only ones interested. Trustee Lockhart motioned to authorize declaring the stub street as excess and to pursue offering it to neighbors, seconded by Trustee Adamson and carried.
6. The meeting schedule for November and December was discussed. The Board agreed to hold the November meetings on 11/8 and 11/29/2012 and only one Board meeting will be held in December on 12/20/2012. All meetings will begin at 7:00 p.m.
7. The next Board meeting will be held on November 8, 2012. So noted.

OLD BUSINESS

Trustee Adamson discussed the recess left after paving work was done in the business district of Main St. leaving puddles. He expressed concerns of the puddles freezing and people falling on the ice which could form in the winter. Trustee Adamson asked Trustee Lockhart to contact the State in an effort to re-do the work. Trustee Lockhart stated he would contact the State on this matter.

NEW BUSINESS

No new business discussed.

REPORTS

Trustee Lockhart reported he is still pursuing information on electronic recycling for the Village.

Trustee Adamson reported the Youngstown Business and Professional Association has installed a large sign regarding the business district, replacing the smaller signs. The sign placement at Fort Niagara is still forthcoming.

Trustee Adamson then motioned to approve the amended Local Law 1 of 2012 which was discussed during the Public Hearing portion of the meeting, seconded by Trustee Lockhart and unanimously carried.

Deputy Mayor Sutor motioned to approve the amended Local Law 2 of 2012 which was also discussed during the Public Hearing portion of the meeting, seconded by Trustee VanDeusen and unanimously carried.

With no further business, Trustee Lockhart motioned to adjourn the meeting, seconded by Deputy Mayor Sutor and carried. The meeting ended at 8:22 p.m.

Respectfully submitted,

Barbara J. Castilon
Clerk Treasurer