

VILLAGE BOARD MEETING – DECEMBER 20, 2012

Mayor Reynolds called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Also present were Trustees Adamson, Lockhart and VanDeusen, Building Inspector Stevens, Attorney Caserta, Village Engineer Lannon, several residents and several Lew-Port students. Deputy Mayor Sutor, Police Chief Salada and DPW Superintendent Muller were absent.

Niagara Hospice, represented by Paul Beatty, presented the Village with a plaque for sponsorship in the 2012 Mighty Niagara Half Marathon which benefitted Hospice. Mr. Beatty thanked Mayor Reynolds for the Village's help which included assistance from the Youngstown Police Department. Mayor Reynolds accepted the plaque and thanked Mr. Beatty.

The Mayor then asked for public comment. Dave Gifford of Glenvale Dr. questioned solicitation practices by the Village. Trustee Adamson stated the Recreation Commission which is an all-volunteer committee; looks to businesses to sponsor the Nancy Price 5K Race and that Tops Supermarket donated \$5,000.00 to the four area races. Mayor Reynolds asked Mr. Gifford if he was referring to the recent Sentinel news article in which CWM referenced donations made to various municipalities, including Youngstown. Mayor Reynolds stated CWM did send a memorial gift which was used along with other memorial gifts, for concerts honoring former Mayor Riordan. This was not a gift to the Village. The Mayor also stated that when it was learned that CWM did make a gift donation to the Recreation Department's 5K Race, a check was returned to CWM for the donation amount. He then stated the Recreation Commission has been told not to send future solicitation letters to CWM. Mr. Gifford thanked the Mayor for explaining the matter.

Richard Lucas of Second St. then expressed his concerns of recent hunting near his home while his grandson was playing outdoors. A hunter had been sitting in a tree while hunting deer. Mr. Lucas stated "no hunting" signs need to be posted and the Village needs to rethink the needed footage off the street before hunting is permitted. Mayor Reynolds stated hunting is prohibited in the Village and stressed that if Mr. Lucas sees this happening again, he should call the Police immediately. Mayor Reynolds stated the Board will review the matter.

Building Inspector Stevens submitted his monthly report for November. Three permits were issued for work valued at \$27,000.00 and \$165.00 in fees collected. Inspector Stevens also reported the boat ramp has been repaired and work continues at the Main St. property owned by Alan Hastings.

Police Chief Salada was absent but submitted his November report. 208 patrol hours worked, 987 patrol miles logged, 20 Village calls, 14 Town of Porter calls, 17 calls outside the Village, 4 UTT's, 5 parking tickets issued and 1 arrest was made.

DPW Superintendent Muller was absent but submitted his monthly report for November. 19.5 hours of overtime worked. Garbage tonnage was 101.66 and leaf pickup continued through Dec. 11 and again on Dec. 17.

Attorney Caserta will address items as they appear in the meeting.

The minutes of the November 29, 2012 meeting were approved by motion of Trustee Adamson, seconded by Trustee Lockhart and carried.

CORRESPONDENCE

1. Niagara County Water District gallonage report for October 31- November 30, 2012, consumption up 5,333 gallons per day for the same time period last year. So noted
2. December 2012 mortgage tax distribution \$8,299.62 - up \$1,846.37 from December 2011. So noted.
3. NAFVO will resume meeting but will limit the meetings to twice a year. The next meeting is scheduled for April 17, 2013 in the Village of Holley. So noted.
4. Invitation for Board to attend the next Youngstown Business & Professional Assoc. Meeting on Tuesday, January 8, 2013 from 6:00-9:00 p.m. at the Youngstown Diner. So noted.

AGENDA

1. Trustee Lockhart motioned to approve the Abstract of Audited Vouchers for period ending December 20, 2012 – General Fund- \$72,364.97, Water Fund-\$11,454.43, Sewer Fund-\$2,418.49. Trustee VanDeusen seconded the motion which carried.
2. A request to hold an Accident Prevention Workshop in the Cora Gushee Room on Saturday, February 23, 2013 from 9:00 a.m. – 3:00 p.m. was approved by motion of Trustee Adamson, seconded by Trustee VanDeusen and carried. The workshop is sponsored by Empire Defensive Driving and upon completion; attendees receive a 10% discount on their auto insurance for three years.
3. A request was submitted for a liquor license renewal for the Village Diner by owner; Cathy Pasquantino was approved by motion of Trustee VanDeusen, seconded by Trustee Lockhart and carried.
4. Update on Water Street extension. Mayor Reynolds stated that Deputy Mayor Sutor has looked into the matter of Ferry St. and that the exact location may have changed approximately 30-40 years ago. Attorney Caserta suggested getting a professional surveyor to survey the land so the Gristmill, Youngstown Yacht Club and Village as well as others know where Ferry St. is. Attorney Caserta stated Ferry St. was owned by the Village. He then suggested gathering all the aforementioned together to clarify the issue. Mayor Reynolds agreed that a survey should be done. Building Inspector Stevens reported he has talked to a person familiar with the area back in the 1940's and also stated after talking to the assessor's office that it may be difficult to determine the Ferry St. location.
5. Update on Ulrich Lane Stub Street. Attorney Caserta reported two letters have been sent to the resident bordering the stub street asking if she is interested in the property but with no response. The Nelson's are interested in the stub street and will get the property surveyed once a response has been received. It was agreed to attempt a third inquiry before proceeding further.
6. Sample permit for keeping chickens and bird of prey. Trustee VanDeusen suggested compliance wording be placed at the bottom of the permit. Trustee Lockhart motioned to add the following statement to the permit, "The applicant has 30 days to apply for a building permit from the date of issuance shown on this application." Trustee VanDeusen seconded the motion which was carried.
7. Ribbon cutting request by Christine Gaffney for her new spa business at 354 Main St. on Saturday, December 29th at 4:00 p.m. Mayor Reynolds will contact the Niagara River Region Chamber of Commerce regarding the ribbon cutting. Those Board members who are available will attend the event.
8. Received \$12,000. Member's grant funds from former Assemblywoman Francine DelMonte. So noted. Trustee Adamson stated the Village will also be receiving grant funds from a Senator Maziarz sponsored grant and suggested any leftover monies be used to landscape around the base of the LED sign outside the Village

Hall. The Board agreed to inquire about the landscaping. Trustee Adamson will contact Mike Costello regarding the matter.

9. Request from Lew-Port Junior ROTC to use the gym from 4:00-5:30 p.m. on Tuesday and Thursdays beginning January 8-February 26, 2013. Adult supervision will be present and provided by the group. Trustee Adamson has verified with Recreation Director Kim Cudmore that this would not be in conflict with recreation programs. Proof of insurance coverage has been provided. Trustee Adamson then motioned to approve the gym use request, seconded by Trustee Lockhart and carried.

10. Proposed banking charges by First Niagara Bank. Mayor Reynolds explained that First Niagara has asked the Village to eliminate accounts by combining accounts but have not given a concrete number that the Village is allowed before monthly service fees are assessed. The Mayor stated the Board should meet with First Niagara to discuss the matter but also talk to other local banks. Trustee Adamson stated that First Niagara counts on the Village and if they lose our accounts and others, it would not be worth it for the bank to remain in the Village which would affect the community. He agreed that the Board and First Niagara should meet to discuss proposed monthly fees. Mayor Reynolds stated he won't use taxpayers' dollars to pay for First Niagara's fees. Trustee VanDeusen reported another group had the same problem but after talking, the fees were eliminated. The Mayor asked the Clerk to invite the First Niagara municipal banking representative to the next Board meeting on January 10, 2013.

11. Last lot sold in Carrollwood development and responsibility of retention pond area. Trustee Lockhart reported finding the deed to Carrollwood development which states the Village is responsible for the retention pond. Attorney Caserta will review the deed.

OLD BUSINESS

No old business discussed.

NEW BUSINESS

No new business discussed.

REPORTS

Mayor Reynolds read a report from Deputy Mayor Sutor in his absence. The letter referenced the antiquated accounting system used by the Clerk's Office which will soon face support problems. He recommended the updating of the system. Trustee VanDeusen agreed.

Trustee VanDeusen stated she appreciated Mr. Gifford asking about the CWM funds earlier in the meeting and that the Board will be more aware of where donated funds come from.

Trustee Lockhart reported that he met with a Lock City representative regarding the water read system. A brief discussion took place regarding the benefits of moving ahead to change to the remote readers.

Trustee Lockhart stated clarification on the matter of Building Inspector Stevens assuming the storm water responsibilities and reporting was not addressed at the November meeting. Trustee Lockhart then motioned to have December 1, 2012 be Mr. Stevens start date for the storm water responsibilities with a stipend of \$8,000. per year and paid 1/12th of that amount each month. Trustee Adamson seconded the motion and carried.

Trustee Lockhart reported that in light of several recent water breaks, it would be advantageous to purchase a trench box which would be used for trench shoring. This used unit can be purchased from United Rentals for \$5,883. He then motioned to authorize the purchase of the trench box at a price not to exceed \$6,000., seconded by Trustee Adamson and carried.

Trustee Lockhart also thanked Mike Riordan who volunteered to update the veteran's kiosk at Vets Park and thanked Building Inspector Stevens, Engineer Bob Lannon and contractor Jim Acome for the good efforts during the recent dock project.

As the Recreation Department liaison, Trustee Adamson recapped the events throughout the year while stating the Recreation Department and Commission have done a great job. This year's events included the Nancy Price 5K Race which Tony DiMino of Tops Supermarket has decided to raise next year's scholarship donation, conducted the games at the Village picnic, hosted a Halloween party for children and provided volunteers for the Christmas in the Village celebration. He also reported that Vets Park is completely utilized in the summer and good programs for younger children were held in Falkner Park. Trustee Adamson thanked Recreation Director Kim Cudmore and the Recreation Commission volunteers for all their help. He then wished everyone a Merry Christmas and a Happy New Year.

Mayor Reynolds again asked if there was any other public comment. Richard Lucas asked about the Cold Storage site. Mayor Reynolds advised him that the developer backed out leaving the Village back to square one again. He also told Mr. Lucas that the Village is actively looking for interested developers. Trustee Adamson added it would cost the Village \$150,000. to tear down the building and that taxpayers cannot be asked to foot the bill for demolition.

Mayor Reynolds stated the Board of Trustees will enter into Executive Session following the Board meeting to discuss personnel matters.

With no further business, Trustee Lockhart motioned to adjourn the meeting, seconded by Trustee VanDeusen and carried. The meeting ended at 8:00 p.m.

Respectfully submitted,

Barbara J. Castilon
Clerk Treasurer

At 8:05 p.m., the Board entered into Executive Session for personnel matters. At 8:48 p.m., Trustee Adamson motioned to adjourn the Executive Session, seconded by Trustee Lockhart and carried.

