

April 29, 2013

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

ss:

A special meeting of the Board of Trustees of the Village of Celoron, New York was held on Monday, April 29, 2013 at 7:05 P.M.

Members Present: Mayor Schrecengost, Trustees Grundstrom, Kogut, Mattison, and Young

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom, Code Enforcement Officer David Rowe and five members of the public

Mayor Schrecengost called the meeting to order, asked the Clerk to call the roll and led the Pledge of Allegiance.

MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Young motioned, seconded by Trustee Kogut to approve the minutes of the Regular Meeting held on April 8, 2013.

Carried: 5 ayes

COMMITTEE REPORTS

ZONING & PLANNING – Mayor Schrecengost and the Board discussed the request for a variance from the moratorium on land uses in the area under study for the implementation of the Local Waterfront Revitalization Plan. They reviewed and completed the following check list:

1. Will the failure to grant an exemption to the property owner cause the property owner unnecessary hardship, which hardship is substantially greater than any harm to the general public welfare resulting from the granting of the exemption? Yes No
2. Will granting the relief requested clearly have no adverse effects upon any of the Village's goals or objectives in undertaking the community planning effort or in adopting the moratorium?
 Yes No
3. Is the proposed land use project consistent with the goals and objectives as determined through the public process of developing, drafting and implementing the Local Waterfront Revitalization Plan, including, but not limited to, consideration of any effects or uses

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detrimental to the community's resources or character, or any other adverse environmental impacts?

Yes No

4. Is the project for which the petitioner seeks an exemption in harmony and consistent with any interim data or recommendations or conclusions that may be drawn from the community-planning effort currently in progress? Yes No

The following correspondence was received:

I reviewed the language submitted last year for the moratorium. This is an exception that is being granted by the Village Board. As an agent of the County Planning Board, I have determined that this decision will not require referral to the County Planning Board due to the nature of the request.

Sincerely,
Don McCord, Senior Planner
Chautauqua County Planning

FINANCE – Entire Board/Clerk

Mayor Schrecengost asked for approval of Abstract #22 in the amount of \$18,408.65, check #1834 thru 1845, dated April 9-30, 2013.

Trustee Mattison moved, seconded by Trustee Young to approve payment of the abstracts.

Carried: 5 ayes

RESOLUTIONS

Resolution #16 – 2012-13

WHEREAS, on April 12, 2010, the Board of Trustees of the Village of Celoron, New York adopted Resolution #7 - 2010-11, which established the Standard Work Day of eight (8) hours for Village of Celoron employees, and

WHEREAS, the Celoron Village Attorney is an Appointed Official of the Village of Celoron that does not participate in the Village of Celoron's Time Keeping System, and

WHEREAS, John D. Vanstrom was appointed as Village Attorney in and for the Village of Celoron, New York, for the term of office beginning December 5, 2011 and expiring on December 2, 2013, and

WHEREAS, John D. Vanstrom is a Tier V member of the New York State and Local Employees' Retirement System who has submitted his Record of Activities to the Celoron Village Clerk-Treasurer; now therefore, be it

RESOLVED, That, the Village of Celoron (Location Code 40153) hereby establishes, and will report, 2.36 days worked/month for Village Attorney John D. Vanstrom to the New York State and Local Employees' Retirement System.

Trustee Grundstrom moved, seconded by Trustee Mattison to approve the resolution.

Carried: 5 ayes

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Resolution #17 – 2012-13

WHEREAS, on February 13, 2012 the Board of Trustees of the Village of Celoron, New York adopted Local Law No. 1 of 2012 which instituted a moratorium on land use approvals in the area currently under study as part of implementation of the Local Waterfront Revitalization Plan of the Village of Celoron, New York; and

WHEREAS, Local Law No. 1 of 2012 was duly filed with the New York State Department of State on February 21, 2012; and

WHEREAS, Local Law No. 1 of 2012 was effective for a period of one year and allowed for the moratorium to be extended for two additional periods of up to three months each by resolution of the Board of Trustees of the Village of Celoron upon finding of the necessity of such extension; and

WHEREAS, The Board of Trustees of the Village of Celoron on February 11, 2012 did adopt Resolution #11 – 2012-13 which extended the moratorium until May 21, 2012; and

WHEREAS, Local Law No. 1 of 2012 contains provisions for a property owner within the area currently under study as part of implementation of the Local Waterfront Revitalization Plan of the Village of Celoron, New York and subject to the moratorium to apply to the Board of Trustees of the Village of Celoron in writing for relief from strict compliance with this local law; and

WHEREAS, on April 22, 2012 Michael J. and Margaret A. Newell made an application in writing to the Board of Trustees of the Village of Celoron for relief from strict compliance with this Local Law in order to demolish an existing dwelling and construct a new one family home on the premises owned by Michael J. and Margaret A. Newell located at 8 and 10 Chautauqua Place, Celoron, New York known as tax parcels 369.18-1-79 & 80.1 which are located in a Residential Zone; and

WHEREAS, pursuant to the provisions of Local Law No. 1 of 2012 a Public Hearing was held at on Monday, April 29, 2012;

NOW, THEREFORE BE IT;

RESOLVED, that the Board of Trustees of the Village of Celoron hereby finds that failure to grant an exemption to the property owner will cause the property owner unnecessary hardship, which hardship is substantially greater than any harm to the general public welfare resulting from the granting of the exemption; and the granting of the relief requested will clearly have no adverse effects upon any of the Village's goals or objectives in undertaking the community planning effort or in adopting the moratorium and shall be consistent with the goals and objectives as determined through the public process of developing, drafting and implementing the Local Waterfront Revitalization Plan, including, but not limited to, consideration of any effects or uses detrimental to the community's resources or character, or any other adverse environmental impacts; and the demolition of the existing dwelling and construction of a new one family dwelling is in harmony and consistent with any interim data or recommendations or conclusions that may be drawn from the community-planning effort now in progress; and be it further

RESOLVED, That the Board of Trustees of the Village of Celoron, New York does hereby grant the requested exemption to Michael J. and Margaret A. Newell as above described.

Trustee Grundstrom moved, seconded by Trustee Mattison to approve the resolution.

Carried: 5 ayes

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MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

Trustee Mattison motioned to adjourn the meeting. Trustee Kogut seconded the motion.

Carried: 5 ayes

The meeting was adjourned at 7:14 p.m.

Shirley A. Sanfilippo, MMC/CMFO
Village Clerk-Treasurer