

December 8, 2014

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

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A regular meeting of the Board of Trustees of the Village of Celoron, New York was held on Monday, December 8, 2014 at 6:00 P.M.

Members Present: Mayor Schrecengost, Trustees Keeney, Mattison and Young

Members Absent: Trustee Kogut

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom and Highway Superintendent Terry Schrecengost

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 Keeney motioned, seconded by Trustee Mattison to approve the minutes of the Reorganizational Meeting of December 1, 2014.

Carried: 4 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – In Trustee Kogut's absence Mayor Schrecengost presented the report from the Code Enforcement Officer.

ANIMAL CONTROL – Trustee Young – none

PARKS – Trustee Young – none

HIGHWAY AND EQUIPMENT – Trustee Mattison and the Board discussed the replacement six tires on the 2006 1 Ton truck.

Trustee Mattison moved, seconded by Trustee Keeney to authorize the purchase of six new tires from Barmore-Sellstrom, Inc.

Carried: 4 ayes

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The Board reviewed a request from R. Shane Uber on behalf of John Langer for the abandonment of Elk Street and a portion of Butler Avenue.

Trustee Young moved, seconded by Trustee Mattison to refer the abandonment of Elk Street and a portion of Butler Avenue to the Planning Commission and schedule a public hearing on the abandonment for 5:50 p.m. on February 9, 2014 in the Community Center.

Carried: 4 ayes

PLANNING – Trustee Keeney presented a recommendation from the Planning Commission for approval of Local Law No. 3 of 2014.

RECREATION – Trustee Keeney – None

SANITATION – Trustee Mattison – None

BUSINESS – Trustee Kogut – none

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Correspondence from NYCOM regarding the proper use of NYS \$5.1 billion in bank settlement funds
2. Notice from Time Warner Cable of service changes

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #13 in the amount of \$12,664.99, check #2460 thru 2474, dated December 1-8, 2014.

Trustee Mattison moved, seconded by Trustee Keeney to approve payment of the abstract.

Carried: 4 ayes

The Board reviewed the current Fee Schedule

Trustee Mattison moved, seconded by Trustee Young to continue with the current fee schedule.

Carried: 4 ayes

The Board reviewed the Procurement Policy.

Trustee Keeney moved, seconded by Trustee Mattison to approve the Procurement Policy as written.

Carried: 4 ayes

AUDIT – Trustee Mattison – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

SPECIAL EVENTS – Trustee Keeney reminded the Board of the Children's Christmas Party on Wednesday at 6:00 p.m.

ZONING – Trustee Kogut – None

OLD BUSINESS

The Board discussed the extension of the water line.

NEW BUSINESS

None

RESOLUTIONS:

None

LOCAL LAW TO BE PRESENTED:

LOCAL LAW NO. 3 OF 2014

**A LOCAL LAW AMENDING SECTIONS 210-6, 210-10.B AND 210-43.B. OF
THE CODE OF THE VILLAGE OF CELORON, NEW YORK**

BE IT ENACTED by the Village Board of the Village of Celoron, New York, pursuant to the authority and provisions of §10 of the Municipal Home Rule Law and §7-725a of the New York State Village Law, as follows:

- 1. Intent.** Amend Section 210-6., Definitions, Garages and Storage Structure; Section 210-10.B, Uses by Right of Article IV, District Regulations of the Code of the Village of Celoron to define and limit the number of accessory garages and storage structures in the Single Family Residential (R1), Residential (R-2) Districts; and Section 210-43.B. Shooting ranges to define the hours of operation.

- 2. Amendment.** Section 210-6. Definitions, Garages, of the Code of the Village of Celoron be and hereby is amended to read as follows:

GARAGES, ACCESSORY – A secondary building used in conjunction with a primary building which provides for the storage of motor vehicles and in which no occupation, business or services for profit are carried on.

GARAGES, PUBLIC – Any garage other than an accessory garage, operated for gain, available on a rental basis for the storage of motor vehicles, including the supply of gasoline and oil.

- 3. Amendment.** Section 210-6. Definitions, Storage Structure, of the Code of the Village of Celoron be and hereby is amended to read as follows:

STORAGE STRUCTURE – Any constructed combination of materials located or attached to the ground utilized for non-inhabited storage purposes. Used trucks, travel trailers, tractor trailers, and similar motor vehicles shall not be utilized as storage structures.

- 4. Amendment.** Section 210-10.B., Garage, accessory and Storage Structure of the Code of the Village of Celoron be and hereby is amended to read as follows:

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Garage, accessory, shall architecturally match the primary structure with a maximum size of 24'x36', limited to one (1) per parcel

Storage Structure, shall be no more than 120 square feet and can be no higher than 10 feet in height, limited to one (1) per parcel

5. **Amendment.** Section 210-43.B. Shooting ranges of the Code of the Village of Celoron be and hereby is amended to read as follows:

The operating of shooting ranges shall be allowed between the hours of 9:00 a.m. and 10:00 p.m. for a maximum of 12 daily hours of shooting allowed per range. Up to two (2) special shoots a year will be allowed to begin at 8:00 a.m.

6. **Conflicting Statutes.** All local laws or ordinances or parts of local laws or ordinances in conflict herewith are hereby repealed.

7. **Severability.** Should any clause, sentence, paragraph, subdivision, section or other part of this local law be adjudicated by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or other part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and to this end, the provisions of each section of this local law are hereby declared to be severable.

8. **Effective Date.** This local law shall become effective immediately upon filing with the New York State Secretary of State.

Trustee Mattison moved, seconded by Trustee Keeney to approve the local law.

Carried: 4 ayes

MAYOR'S COMMENTS:

None.

OPPORTUNITY FOR PUBLIC COMMENT:

None

Trustee Young moved, seconded by Trustee Mattison to go into Executive Session to discuss pending litigation.

Carried: 4 ayes

EXECUTIVE SESSION:

Began: 6:29 p.m.

Members Present: Mayor Schrecengost, Trustees Keeney, Mattison and Young

Members Absent: Trustee Kogut

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO and Village Attorney John D. Vanstrom

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Trustee Mattison moved, seconded by Trustee Keeney to go back into Open Session.

Carried: 4 ayes

Ended: 7:03 p.m.

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

Carried: 4 ayes

The meeting was adjourned at 7:04 p.m.

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