

February 9, 2015

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

ss:

A regular meeting of the Board of Trustees of the Village of Celoron, New York was held on Monday, February 9, 2015 at 6:00 P.M.

Members Present: Deputy Mayor Mattison, Trustees Keeney and Young

Members Absent: Mayor Schrecengost, Trustee Kogut

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom, Highway Superintendent Terry Schrecengost, Town of Ellicott Councilman Paul Shanahan and six members of the public.

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

MAYOR'S APPOINTMENTS:

Mayor's Office

To the Board of Trustees of the Village of Celoron, New York

Trustees:

In pursuance of the authority vested in me by the Village Law of the State of New York, I do hereby nominate:

Charles G. Freay
64 W. 4th St. WE
Jamestown, NY 14701

to be appointed a member of the Zoning Board of Appeals in and for the Village of Celoron, New York.

The term for which said appointment is to be made will expire on December 2, 2019.

Dated: February 9, 2015

Scott D. Schrecengost
Mayor of the Village of Celoron, New York

Trustee Young moved, seconded by Trustee Keeney to approve the appointment.

Carried: 3 ayes

Mayor's Office

To the Board of Trustees of the Village of Celoron, New York

Trustees:

In pursuance of the authority vested in me by the Village Law of the State of New York, I do hereby appoint:

February 9, 2015

Charles G. Freay
64 W. 4th St. WE
Jamestown, NY 14701

as Chairman of the Zoning Board of Appeals in and for the Village of Celoron, New York.

The term for which said appointment is to be made will expire on December 2, 2019.

Dated: February 9, 2015

Scott D. Schrecengost
Mayor of the Village of Celoron, New York

MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

Mike Vik, Conewango Ave., Celoron, addressed the Board regarding the placement of an LED sign on the Community Center.

APPROVAL OF MINUTES:

Trustee Young motioned, seconded by Trustee Keeney to approve the minutes of the Hearing and Regular Meeting of January 12, 2015.

Carried: 3 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – In Trustee Kogut's absence the Board reviewed the Code Enforcement Officer's monthly report.

ANIMAL CONTROL – Trustee Young – None

PARKS – Trustee Young – None

RECREATION – Trustee Keeney apprised the Board that she was working on plans for the Summer Youth Recreation Program and the Summer Concert Series

HIGHWAY AND EQUIPMENT – Trustee Mattison – None

PLANNING – Trustee Keeney presented the following letter from the Planning Board:

January 22, 2015

Celoron Board of Trustees
Village of Celoron
PO Box 577
Celoron, NY 14720-0577

Dear Board Members:

February 9, 2015

At their regular meeting held on January 22, 2015, the Village of Celoron Planning Board approved the following recommendation to you:

The paper streets (Elk and a portion of Butler) should be abandoned, contingent upon the official recording of the necessary easements for any utilities discovered during the upcoming survey.

Sincerely,

Jetta L. Wilson
Deputy Village Clerk

cc: Planning Board
Robert J. Burkholder, CEO
John D. Vanstrom, Village Attorney

The Board discussed the need for an easement on the portion of Butler Avenue to the South and Center Sewer District for the sewer line located in the paper street. This expense would have to be borne by the abutting property owners. To date the Village has not been advised of any interest or disinterest from the abutting property owners, with the exception of Mr. Langer, in obtaining title to the paper streets. Mr. Uber asked if the Board would be setting a deadline for receipt of a response from the abutting property owners. Village Attorney Vanstrom suggested that Mr. Uber contact the abutting property owners and obtain written notice from the owners that they did not wish to take title to the paper street. This could be presented to the Board of Trustees for their consideration. The Board asked how much of Elk Street Mr. Langer was interested in taking title to. Mr. Uber advised that Mr. Langer would be willing to take title to all of Elk Street if no one else was interested in acquiring it.

SANITATION – Trustee Mattison – None

BUSINESS – In Trustee Kogut's absence, the Board discussed changing their meeting time to 10:00 a.m. with a 9:30 a.m. work session in order to insure that there was a quorum present to conduct the business of the Village. The date would remain the 2nd Monday of the Month and the location would be the same.

Trustee Young moved, seconded by Trustee Keeney to change the Board Meeting time to 10:00 a.m. with a 9:30 a.m. work session.

Carried: 3 ayes

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Letter from Public Service Commission
2. Time Warner Cable notice of changes in service
3. NYCOM correspondence on Property Tax Freeze
4. Notice from Time Warner of changes in service
5. County tax foreclosure

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #16 in the amount of \$20,125.46, check #2499 thru 2508, dated January 13-31, 2015; Abstract #17 in the amount of \$20,737.80, check #2509 thru 2525, dated February 1-9, 2015; Trust and Agency Abstract #9 in the amount of \$3,652.10, check #5055 and #5056, dated January 30, 2015; and Trust & Agency Abstract #10 in the amount of \$490.32, Check #5057, dated February 9, 2015.

February 9, 2015

Deputy Mayor Mattison moved, seconded by Trustee Keeney to approve payment of the abstracts.

Carried: 3 ayes

AUDIT – Trustee Mattison – None

INSURANCE – Trustee Young and the Board discussed increasing the Village's umbrella liability coverage from \$1 million to \$2 million.

Trustee Young moved, seconded by Deputy Mayor Mattison to increase the Village's umbrella liability coverage from \$1 million to \$2 million.

Carried: 3 ayes

BUILDING – Trustee Young – None

SPECIAL EVENTS – Trustee Keeney reviewed a request to utilize Lucille Ball Memorial Park and a portion of Dunham Avenue for the Celoron Rib-Fest.

Trustee Young moved, seconded by Deputy Mayor Mattison to approve the use of Lucille Ball Memorial Park and part of Dunham Avenue for the Celoron Rib-Fest to be held on June 3, 4, 5 & 6, 2015 for a permit fee of 20% of the net profits up to a maximum of \$2,000.00.

Carried: 3 ayes

ZONING – Trustee Kogut – None

OLD BUSINESS

The Board discussed the extension of the water line and the possibility of financing the extension with a \$3.00 per month Water Infrastructure Fee to be added to each water bill in the Village. The fee would be eliminated after the Bond Anticipation Note was paid off in five years. They are awaiting a response from the New York State Comptroller's Office regarding whether bidding would be required for the project. If the fee is used, the tax levy would not be effected. The costs would be spread among all the users and not just the taxpayers. Currently, 44% of the Village's assessment is tax exempt. If it was financed through the property taxes, only 56% of the property owners and users of the system would bear the cost and there is a possibility that the tax levy would exceed the tax cap. Should this happen, the taxpayers would lose their rebates from the State.

NEW BUSINESS

None

RESOLUTIONS:

Resolution #9 – 2014-15

RESOLVED, That the Clerk Treasurer be and she hereby is authorized to make the following amendments to the 2014-2015 Budget:

INCREASE:	Account A3510.4 Control of Animals, Contractual	\$500.00
DECREASE:	Account A7550.4 Celebrations, Contractual	\$500.00

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Trustee Young moved, seconded by Trustee Keeney to approve the resolution.

Carried: 3 ayes

Resolution #10 – 2014-15

WHEREAS, Chapter 60 of the Village of Celoron Code prohibits open containers of alcoholic beverages on the Village property unless authorized in advance by the Board of Trustees, and

WHEREAS, it is desirable and appropriate to allow the limited consumption of alcoholic beverages at the Celoron Village Park in connection with the Rib-Fest scheduled for June 3, 4, 5, & 6, 2015, it is therefore

RESOLVED, That the Board of Trustees hereby authorizes open containers of alcoholic beverages at the Celoron Village Park in connection with the Rib-Fest scheduled for June 3, 4, 5, & 6, 2015, in accordance with the following terms and conditions:

1. No alcoholic beverages shall be sold, delivered, given away, or allowed to be consumed or in the possession of:
 - a. Any person actually or apparently under the age of 21 years old
 - b. Any person who is actually or apparently intoxicated
 - c. Any person who is loud, obnoxious, belligerent, or otherwise behaving in an inappropriate manner
2. No alcoholic beverages shall be consumed or in the possession of any person except in the area specifically designated by the Village of Celoron for such purpose.
3. Only alcoholic beverages sold by the Celoron Rib-Fest Committee may be consumed or in the possession of any person; no privately supplied alcohol can be consumed or in the possession of any person, including specifically any coolers or other alcoholic beverages of any kind.
4. The Celoron Rib-Fest Committee must have a duly approved alcohol license in advance of the event, a copy of which must be provided to the Village Clerk.
5. The Celoron Rib-Fest Committee must have Dram Shop insurance and public liability insurance of at least \$1 million, which insurance must name the Village of Celoron as additional named insured for the purposes of coverage but not the payment of premium, and it is further

RESOLVED, That any person who fails to comply with the terms and conditions of this Resolution shall be in violation of Chapter 60 of the Village of Celoron Code, punishable by a fine not exceeding \$250.00, imprisonment for not more than 15 days, or both such fine and imprisonment, for each offense.

Trustee Keeney moved, seconded by Deputy Mayor Mattison to approve the resolution.

Carried: 3 ayes

MAYOR'S COMMENTS:

None.

OPPORTUNITY FOR PUBLIC COMMENT:

None

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Trustee Keeney motioned to adjourn the meeting. Deputy Mayor Mattison seconded the motion.

Carried: 3 ayes

The meeting was adjourned at 6:30 p.m.

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