

November 2, 2015

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

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A special meeting of the Board of Trustees of the Village of Celoron, New York was held on Monday, November 2, 2015 at 10:00 A.M.

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

Members Absent: Trustee Young

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom, Tad Wright, Esq., John Lundquist, one member 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:

Becky Holmstrom, 11 Melvin Avenue, advised the Board of Trustees that Chautauqua Lake Auto was working on cars yesterday, Sunday, November 1st.

John Lundquist, Chautauqua Lake Auto, stated that he was there yesterday morning and was not aware that anyone was there.

Ms. Holmstrom presented the Board with a picture that was taken at 12:40 p.m. She stated that since this was Mr. Lundquist's business, he should know what was going on.

APPROVAL OF MINUTES:

Trustee Mattison motioned, seconded by Trustee Keeney to approve the minutes of the Public Hearing and Regular Meeting of October 12, 2015.

Carried: 4 ayes

COMMITTEE REPORTS

FINANCE – Clerk-Treasurer Sanfilippo asked for approval of Abstract #10 in the amount of \$14,767.07, Check #2775 thru #2792, dated October 13-31, 2015 and Trust & Agency Abstract #5 in the amount of \$5,058.81, Check #5081 thru #5083, dated October 31, 2015.

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

Carried: 4 ayes

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ZONING – Trustee Kogut and the Board discussed a request from John Lundquist of Chautauqua Lake Auto to reconsider his application for a special use permit.

Mayor Schrecengost stated that he and Attorney Vanstrom had met with John Lundquist and his attorney, Tad Wright last week to discuss a legal action that Mr. Lundquist had commenced against the Village of Celoron regarding the decision by the Celoron Village Board to deny his special use permit request.

Attorney Vanstrom outlined the time frame for responding to the legal action and explained that was the reason for this special meeting.

Mayor Schrecengost said they had reviewed the conditions on the prior special use permit, particularly the fact that auto body repair as it relates to new or used car sales was the only permitted function in the C-1 zone. They also discussed the DEC regulations for paint fumes and dust in a residential area. He expressed disappointment in hearing that there was work going on yesterday, Sunday. He further stated that the Village has received complaints from residents all over the Village about the conditions at Chautauqua Lake Auto.

Trustee Mattison asked Mr. Lundquist what he had to say about this.

Mr. Lundquist replied that he would talk to the employees again about this working on Sundays.

Trustee Mattison responded that he was referring to everything, not just the working on Sundays. He further stated that the Village had been trying to work with him for a long time.

Mr. Lundquist stated that he was going to start checking with the Mayor to see if there were any complaints .

Trustee Mattison said that the Code Enforcement Officer was sent down.

Mr. Lundquist advised that he was going to start communicating more with the Village officials.

Trustee Kogut inquired if Mr. Lundquist had been in touch with the Village's Code Enforcement Officer.

Mr. Lundquist said, yes.

Mr. Wright stated that there had been a breakdown in communications and Mr. Lundquist was aware that he had to make an effort to reach out to the Village.

Trustee Kogut confirmed that the Code Enforcement Officer had been there and explained what needed to be remedied.

Mr. Lundquist said he had stopped to ask about the cars out back and he had rectified that situation.

Trustee Mattison stated that he tries to be nice about it.

Trustee Keeney stated that it was her understanding that the Code Enforcement Officer had been down there many times and perhaps had not done everything he should have. She assured Mr. Lundquist that from this point forward, the Code Enforcement Officer would do what he is supposed to do.

Mayor Schrecengost briefly reviewed the history of the Chautauqua Lake Auto location. He said this property has had a history of code violations and this needed to end.

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Trustee Keeney confirmed that Mr. Lundquist had been cited and taken to court in 2012 because he had failed to comply with the conditions of his special use permit.

Mayor Schrecengost reviewed the following conditions to be placed on a two year special use permit:

CHAUTAUQUA LAKE AUTO CONDITIONS

1. Tires are to be stored in the garage and removed every two weeks.
2. Cars parked along Boulevard Avenue will be at least three (3) feet behind the property line and such cars shall be maintained equally spaced and in a correctly aligned display.
3. Maintaining the fence both at the south end of the property and at the western and southern end of the residence at 59 Boulevard Avenue. Maintenance shall include, but not be limited to appearance and straightness.
4. The area on Melvin Avenue from the fence at the southern end of the residence at 59 Boulevard Avenue to the utility pole going south, an area about 20'x20', which at one time was occupied by the shed and the dumpster, will be cleaned of litter, leveled and stoned.
5. Maintaining the Fire Lane along the west side of the Mechanical & Inspection Building.
6. Maintaining the lights on the north side of the Body Shop Building and the west side of the Mechanical & Inspection Building.
7. Establishing the Hours of Operation as Monday through Friday: 7:00 a.m. to 6:00 p.m.; and Saturday: 8:00 a.m. to 12:00 noon.
8. Maintaining an Employee Parking Area separate from the Public Parking Area, keeping all vehicles, including employees' and customers' vehicles, or vehicles for sale, solely on the premises of Chautauqua Lake Auto.
9. Keeping the Retail Operation separate from the Mechanical Operation.
10. Auto Body Repair as it relates to new or used car sales.

Trustee Mattison moved, seconded by Trustee Kogut to approve a two-year special use permit for Chautauqua Lake Auto with the foregoing conditions.

Carried: 4 ayes

OLD BUSINESS

None

NEW BUSINESS

None

OPPORTUNITY FOR PUBLIC COMMENT:

Becky Holmstrom, 11 Melvin Avenue stated that she would like Chautauqua Lake Auto to act like they care about the condition of their property and the Village.

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

Carried: 4 ayes

The meeting was adjourned at 10:22 a.m.

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