

November 9, 2015

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, November 9, 2015 at 10:00 A.M.

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

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

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 Mattison motioned, seconded by Trustee Keeney to approve the minutes of the Special Meeting of November 2, 2015.

Carried: 5 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – Trustee Kogut and the Board reviewed the October Code Enforcement Officer's report.

ANIMAL CONTROL – Trustee Young – None

PARKS – Trustee Young apprised the Board that in the Village of Cassadaga the Legion takes care of all the flags. The Board discussed changing the name of Lucille Ball Memorial Park to Celoron Memorial Park due to all the memorials that are in the park ie Veteran's, Amy King, park benches.

Trustee Young moved, seconded by Trustee Mattison to table the renaming of the park.

Carried: 5 ayes

RECREATION – Trustee Keeney – None

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HIGHWAY AND EQUIPMENT – Trustee Mattison advised that there was another tree that needed to be removed. The tree is located on Waverly Avenue with half being on private property and half in the Village right-of-way. The property owner has agreed to pay half of the cost. The cost will be approximately \$800 with the Village paying \$400.

Trustee Mattison moved, seconded by Trustee Young to contract with Marsh's Tree and Landscaping to remove a tree on Waverly Avenue, with the property owner paying half.

Carried: 5 ayes

PLANNING – Trustee Keeney – None

SANITATION – Trustee Mattison – None

BUSINESS – Trustee Kogut – None

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Notice from Time Warner Cable of changes in service

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #11 in the amount of \$10,153.53, check #2793 thru #2805, dated November 1-9, 2015

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

Carried: 5 ayes

AUDIT – Trustee Mattison – None

INSURANCE – Trustee Young stated that the insurance rates for 2016 had been received and were slightly less than the 2015 rates.

BUILDING – Trustee Young – None

SPECIAL EVENTS – Trustee Keeney and the Board discussed a Santa Claus for the Children's Christmas Party.

Trustee Keeney moved, seconded by Trustee Mattison to give a donation of \$25.00 to the Santa Claus for the Children's Christmas Party.

Carried: 5 ayes

ZONING – Trustee Kogut – None

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution # 25 – 2014-15

RESOLVED, That the Mayor be and he hereby is authorized to sign renewal agreements for full-time employee health care coverage with Independent Health utilizing the Flexfit Platinum plan and for dental coverage with Univera Healthcare for the period covering January 1, 2016 – December 31, 2016. Employees are to pay 10% of the premium cost.

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

Carried: 5 ayes

Resolution # 26 – 2014-15

WHEREAS, Up State Tower Co., LLC and Buffalo-Lake Erie Wireless Systems, 4915 Auburn Ave., Suite 200, Bethesda, MD applied for a Special Use Permit to construct and operate a 150' monopole telecommunications facility within a 40'x50' fenced compound on the premises located at East Livingston Avenue, Section 369.19, Block 6, Lot 9, in the Industrial Zone owned by Miller Properties, LLC;

and

WHEREAS, the Zoning Code of the Village of Celoron permits said uses in accordance with Section 210-41 with a Special Use Permit;

and

WHEREAS, the Board of Trustees of the Village of Celoron held a Public Hearing on said request for a Special Use Permit on October 12, 2015;

and

WHEREAS, the Planning Board of the Village of Celoron held a Public Hearing on October 21, 2015 on the request and site plan for the construction of said monopole telecommunications facility;

and

WHEREAS, the Planning Board of the Village of Celoron at their regular meeting held on October 21, 2105 approved the SEQR with a negative declaration and the site plan;

and

WHEREAS, the Zoning Board of Appeals of the Village of Celoron at a special meeting held on November 2, 2015 approved a variance to place a 6' high chain link fence, 5' from the Bailey Street property line, along 40' of the westerly property line of the lot on East Livingston Avenue; now, therefore, be it

RESOLVED, That a five (5) year Special Use Permit be and hereby is approved for the construction and operation of a 150' monopole telecommunications facility on the premises located at East Livingston Avenue, Section 369.19, Block 6, Lot 9, in the Industrial Zone with the following conditions:

1. That the applicant shall be required to provide a bond for the potential demolition or removal of the tower in the event it shall become abandoned or structurally unsafe so that it will be required to be demolished.

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2. That the applicant will provide to the Village copies of any and all radio frequency or compliance reports required to be filed or submitted to the Federal Communications Commission (FCC) during the term of the special use permit.
3. That the applicant will promptly notify and provide to the Village information relating to any changes in the ownership of the tower, including, but not limited to, the name, address and contact information.
4. That the applicant shall provide proof of liability insurance in an amount equal to at least One Million Dollars (\$1,000,000), which policy shall cover the Village and its officers as additional insureds. In the event the Village and its officers cannot be added as additional insureds, they will be added as certificate holders.

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

Carried: 5 ayes

MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

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

Carried: 5 ayes

The meeting was adjourned at 10:38 a.m.

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