

April 11, 2016

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, April 11, 2016 at 10:00 A.M.

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

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

The Board accepted the resignation of Trustee Richard Kogut with regret and thanked him for all of his years of service to the Village of Celoron.

Mayor Schrecengost advised that a proposed water agreement with the BPU had been received and he was not happy with their proposal. They will be in further discussion with the BPU.

MAYOR'S APPOINTMENT:

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:

Larry Muntz
106 E. Duquesne St.
P.O. Box 372
Celoron, New York 14720-0372

to be appointed a member of the Zoning Board of Appeals in and for the Village of Celoron, New York, to fill the unexpired term of William Ferguson, no longer a Village resident.

The term for which said appointment is to be made will expire on December 5, 2016.

Dated: April 11, 2016

Scott Schrecengost
Mayor of the Village of Celoron, New York

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

Carried: 4 ayes

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Keeney motioned, seconded by Trustee Mattison to approve the minutes of the Regular Meeting of March 14, 2016.

Carried: 4 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – Mayor Schrecengost presented the report from the Code Enforcement Officer. He stated that one of the vacant homes in the Village was being worked on by the owner.

ANIMAL CONTROL – Trustee Young – none

PARKS – Trustee Young and the Board discussed a request from the Celoron United Methodist Church for permission to hold a car wash at the Community Center sometime in July. Upon advice of legal counsel, this would not be permitted under the New York State Constitution. No action was taken on the request. Mayor Schrecengost advised that he was working on an estimate for repairs to the Concession stand. As of today, the material estimate is approximately \$600. Jamestown Macadam has donated baseball dirt for the ball field in Lucille Ball Memorial Park. The field has been roto-tilled.

HIGHWAY AND EQUIPMENT – Trustee Mattison – none

PLANNING – Trustee Keeney – none

SANITATION – Trustee Mattison and the Board reviewed two quotes for repairs to the garbage truck.

Trustee Mattison moved, seconded by Trustee Young to accept the quote from Industrial Welding & Fabrication Co. in the amount of \$2,900.

Carried: 4 ayes

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Senate's Budget Plan
2. NYCOM Update on 2016-17 State Budget
3. Notice from Time Warner Cable of service changes
4. Notice of Workers' Compensation Ultimate Liability
5. April 28th Mayors and Supervisors meeting
6. NYCOM News Release on 2016-17 State Budget
7. Notice from Time Warner Cable of service changes
8. Notice from Senator Young of increased CHIPS payments for 2016-17

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #20 in the amount of \$12,853.14, check #2933 thru 2942, dated March 15-31, 2016; Trust and Agency Abstract #10 in the amount of

April 11, 2016

\$2,670.65, check #5097 thru 5099, dated March 31, 2016 and Abstract #19 in the amount of \$12,344.16, check #2943 thru 2953, dated April 1-8, 2016.

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

Carried: 4 ayes

The Board discussed paying an intern for social media advertising for the park improvements.

Trustee Young moved, seconded by Trustee Keeney to amend the tentative budget as follows:

Increase Appropriations A5112.2 - C.H.I.P.S. to \$70,057.10
Increase Revenues A3501 C.H.I.P.S. to \$70,057.10
Increase Appropriations A5110.1 Highway Personal Services to \$103,000
Increase Appropriations A9050.8 Social Security to \$13,300

Carried: 4 ayes

Trustee Mattison moved, seconded by Trustee Young to hold a Special Meeting on Monday, April 25, 2016 at 6:00 p.m. in the Community Center.

Carried: 4 ayes

AUDIT – Trustee Mattison – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

RECREATION – Trustee Keeney – none

SPECIAL EVENTS – Trustee Keeney and the Board discussed dates for the annual yard sales.

Trustee Mattison moved, seconded by Trustee Young to set June 17, 18, 19, 2016 as Village wide yard sale days.

Carried: 4 ayes

Trustee Mattison moved, seconded by Trustee Keeney to hold the Community Picnic on July 23, 2016.

Carried: 4 ayes

ZONING – The Board discussed changing permit fees.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution #14 – 2015-16

RESOLVED, That the regular meetings of the Board of Trustees of the Village of Celoron shall be held on the second Monday of each month in the Community Center, 47 Dunham Avenue, Celoron, New York at 6:00 p.m., preceded by a 5:30 p.m. work session, beginning the evening of May 9, 2016 and on scheduled Monday evenings thereafter in the year 2015-2016, at the same time and place. If the regular meeting date falls on a holiday, the meeting will be held on the following Tuesday; and be it further

RESOLVED, That the June meeting be rescheduled to June 20, 2016.

May 9, 2016	September 12, 2016
June 20, 2016	Tuesday, October 11, 2016
July 11, 2016	November 14, 2016
August 8, 2016	December 5, 2016, Reorganizational Meeting

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

Carried: 4 ayes

LOCAL LAWS TO BE PRESENTED:

LOCAL LAW NO. 1 OF 2016

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

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. Legislative Intent.** It is the intent of this local law to allow the Village of Celoron, New York to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.
- 2. Authority.** This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.
- 3. Tax Levy Limit Override.** The Board of Trustees of the Village of Celoron, County of Chautauqua, State of New York, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.
- 4. Severability.** If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or

April 11, 2016

invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

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

Trustee Young moved, seconded by Trustee Mattison to table Local Law No. 1 of 2016 and hold a Public Hearing on the Local Law on Monday, April 25, 2016 at 5:45 p.m. in the Community Center.

Carried: 4 ayes

LOCAL LAW NO. 2 OF 2016

A LOCAL LAW AMENDING SECTION 81-4.B.1.(o) 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 81-4.B.1.(o) of the Code of the Village of Celoron, New York to permit temporary enclosures during the period of November 1 to April 30.
- 2. Amendment.** Section 81-4.B.1.(o), Building Permits, of the Code of the Village of Celoron be and hereby is amended to read as follows:

The temporary enclosure of porches, car ports, gazebos, or other open areas using tarps, canvas, plastic, fabric, or similar materials during the period from November 1 to April 30 of the following year, provided that all such enclosures are fully and completely removed during the period of May 1 to October 31 each year. All temporary enclosures must meet all other applicable provisions of law.

- 3. Conflicting Statutes.** All local laws or ordinances or parts of local laws or ordinances in conflict herewith are hereby repealed.
- 4. 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.
- 5. 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 Young to table Local Law No. 2 of 2016 and hold a Public Hearing on the Local Law on Monday, April 25, 2016 at 5:50 p.m. in the Community Center.

Carried: 4 ayes

April 11, 2016

MAYOR'S COMMENTS:

None.

OPPORTUNITY FOR PUBLIC COMMENT:

Tom Przepiora, 11 Duquesne St., addressed the Board regarding a notice he had received from the Code Enforcement Officer. He also advised the Board that the proposed new hotel construction would result in a lot of work for Village officials.

Mayor Schrecengost replied that the Village was working to address issues with vacant properties. He suggested that Mr. Przepiora needed to work with the Code Enforcement Officer to resolve the issues.

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

Carried: 4 ayes

The meeting was adjourned at 10:45 A.M.

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