

September 12, 2016

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, September 12, 2016 at 6:00 P.M.

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

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

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Mattison motioned, seconded by Trustee Young to approve the minutes of the Regular Meeting of August 8, 2016.

Carried: 4 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – Mayor Schrecengost presented the report from the Code Enforcement Officer. The Board discussed the status of 24 E. 10th Street. Attorney Vanstrom advised that he was working on the papers to be filed with the court.

ANIMAL CONTROL – Trustee Young – none

PARKS – Trustee Young – none

HIGHWAY AND EQUIPMENT – Trustee Mattison and the Board discussed the bids received for the construction of a new pole barn. Three bids were received which met the specifications. Duggan & Duggan was the lowest of the three bids.

Trustee Mattison moved, seconded by Trustee Keeney to accept the bid of Duggan & Duggan, in the amount of \$51,450 for the construction of a pole barn for the highway garage.

Carried: 4 ayes

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Trustee Mattison moved, seconded by Trustee Young to set October 15, 2016 from 9:00 a.m. to 3:00 p.m. as Fall Clean-up Day.

Carried: 4 ayes

PLANNING – Trustee Keeney advised that a Sketch Plan Conference for the hotel project was scheduled for September 21, 2016 at 7:00 p.m. in the Community Center.

SANITATION – Trustee Mattison – none

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Notice of 2017 Worker's Compensation Charges
2. Mayors & Supervisors meeting, September 22nd
3. Mayors & Supervisors meeting, October 13th in Ellicottville
4. NYS DOT announcement of availability of \$98.7 million in funding
5. Charter Communications notice of changes in service

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #6 in the amount of \$17,210.36, check #3085 thru 3096, dated August 9-31, 2016; Trust & Agency Abstract #3 in the amount of \$8,955.07, check #5112 and 5114 thru 5121, dated August 30, 2016; and Abstract #7 in the amount of \$16,338.98, check #3097 thru 3113, dated September 1-12, 2016.

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

Carried: 4 ayes

The Board discussed an Office of Community Renewal application in the amount of \$750,000 for the proposed hotel project. A resolution will follow setting a public hearing and special meeting for September 26, 2016.

AUDIT – Trustee Mattison – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

RECREATION – Trustee Keeney – none

SPECIAL EVENTS – Trustee Keeney and the Board discussed several upcoming community events.

Trustee Keeney moved, seconded by Trustee Young to set the Senior Cruise for Wednesday, October 12, 2016.

Carried: 4 ayes

Trustee Mattison moved, seconded by Trustee Keeney to set Halloween hours for 6:00 p.m. to 8:00 p.m. on October 31st.

Carried: 4 ayes

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Trustee Mattison moved, seconded by Trustee Keeney to set the Senior Holiday dinner for November 30, 2016 at 5:00 p.m.

Carried: 4 ayes

Trustee Keeney moved, seconded by Trustee Mattison to set the Children's Christmas Party for December 7, 2016.

Carried: 4 ayes

ZONING – none

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution # 24 - 2015-16

RESOLVED, That the wages for the Highway Supervisor be and hereby are amended to \$20.50 per hour effective September 19, 2016.

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

Carried: 4 ayes

Resolution #25 – 2015-16

RESOLVED, That the Village of Celoron Rules for Employees be amended to read as follows:

**VILLAGE OF CELORON
RULES FOR EMPLOYEES**

HIRING/DISMISSAL The Board of Trustees shall approve the hiring and/or dismissal of all employees.

REMUNERATIONS The Board of Trustees shall approve all wages, salaries and promotions.

DISCIPLINARY ACTION The Board of Trustees shall approve all disciplinary actions taken.

REASONS FOR DISCIPLINARY ACTION:

1. Damage to equipment, careless use of equipment, trucks, mowers, hand tools, etc.
2. Insubordination - disobedient, unruly, repeated unauthorized abusive tardiness, failure to perform work assigned by immediate supervisor.
3. Failure to notify supervisor of pending absence from work within one (1) hour of scheduled starting time.
4. Violation of cell phone policy.

OFFENSES: Written warnings shall be given for any violation. All Civil Service Law Section 75 rules shall be followed pertaining to suspensions and dismissals.

TRIAL PERIOD All new employees are subject to a forty-five (45) day probationary period. At the end of this period, the employee's performance will be evaluated, considering such factors as knowledge of the job, quality of work, achievement, adaptability, attendance, etc. At this time, a decision will be made by the Board of Trustees to approve or disapprove employment.

BEREAVEMENT In the case of an employee's immediate family (spouse, children, parents, mother or father-in-law, brother, sister, step parents, step-children and grand-parents) four days pay will be given AS NEEDED, if the employee is scheduled to work. One day will be given AS NEEDED for all other family members. Payment will be based on the employee's normal weekly work schedule.

MILEAGE Mileage will be reimbursed at the rate the IRS allows for mileage for business use of a personal vehicle. A voucher must be completed and submitted to the Clerk-Treasurer which identifies the date, the destination, miles driven, and the purpose of the trip.

ACCIDENTS Accidents and incidents must be reported in writing to the Village Clerk within 24 hours on the form supplied by the Clerk. Reports will include the employee's signature and his/her immediate supervisor's signature. Copies of every report will be dated and filed with the Village Clerk and the immediate Supervisor.

CELL PHONES Personal cell phones shall not be utilized during working hours except to communicate with employer.

EQUIPMENT All Village equipment is to be used for official use only. Any equipment leaving the Village is to be used for official use only. Only Village employees and others authorized by the Board may use Village equipment.

HOURS WORKED

1. All hourly employees are required to keep track of their hours worked by use of a time card.
2. All employees are required to register their time in at the beginning of the workday and time out at the end of the day. Any time during the day when

the employee is on his or her own time must also be registered. This could be for lunch, doctor's appointments or any other personal business. This shall be done unless the employee is directed to do differently by their immediate supervisor.

3. If an employee is on business other than personal (eg: fire calls, workers compensation, etc.), this time must be shown in writing on the time card.
4. Prior to submission for payroll processing, time cards must be signed by the employee and the employee's immediate supervisor.

RULES FOR FULL-TIME EMPLOYEES

INSURANCE

1. Full-time employees shall be eligible for medical insurance at Village expense with any co-pay to be determined by the Village Board of Trustees. Full-time employees hired prior to June 1, 2011 who desire family insurance coverage shall be responsible for the amount of the premium which exceeds the two-person premium. Full-time employees hired after June 1, 2011 who desire family coverage shall be responsible for the amount of the premium which exceeds the single coverage premium.
2. If a full-time employee chooses to terminate his/her insurance benefit, each month the employee will be paid \$50.00.

SICK DAYS

Sick days shall accrue at one day per month. Total sick leave can be accumulated indefinitely. A doctor's certificate must be furnished in all cases where more than five (5) consecutive days of sick leave are used.

PERSONAL DAYS

Two (2) personal days per year, of the employee's choice, will be granted. Advance notice of one-day (1) for personal day leave must be given at the Village Clerk's Office. Forms are available at the Clerk's Office. The Mayor will subsequently approve or disapprove the request. Personal days shall be credited on the first day of January for that calendar year. Personal Days will not accrue and must be used during the calendar year allotted.

VACATION

Two (2) weeks before the vacation is to start, the necessary form must be completed and submitted to the Mayor for approval. The form may be obtained at the Clerk's Office.

One week plus three days - after one full year of service.
Two weeks plus three days - after two full years of service
Three weeks plus three days - after 10 full years of service.
Four weeks plus three days - after 15 full years of service.
Paid for regularly scheduled work hours.

Vacation days shall be credited on the first day of January for that calendar year. When an employee's anniversary date falls in the middle of a calendar year, the additional vacation time earned shall be credited on the anniversary date and must be used during that calendar year. Vacation days will not accrue and must be used during the calendar year allotted. Up to 40 hours of unused vacation time may be sold back per calendar year. An employee desiring to sell back the time shall submit their request in writing to the Clerk-Treasurer no later than December 15th.

PAID HOLIDAYS Full-time employees will receive pay for the following holidays:

New Year's Day	Columbus Day
Martin Luther King Day	Veterans' Day
President's Day	Thanksgiving Day
Good Friday	Day following Thanksgiving Day
Memorial Day	Christmas Eve Day
Fourth of July	Christmas Day
Labor Day	New Year's Eve Day

The rate will be assessed by the employee's regular work hours. If the holiday falls on a Saturday, the holiday will be taken on Friday. If the holiday falls on Sunday, the holiday will be taken on Monday. Hourly employees will receive time-and-a-half (1 1/2) pay plus their holiday pay for any holiday worked.

LEAVE OF ABSENCE

Leave of Absence for medical or other reason - employee must have approval of the Board of Trustees. A leave of absence shall not exceed three (3) months, except with special permission from the Board. Leave due to illness must be accompanied by a statement from attending physician. After the employee is released from a doctor's care, he must report back to work on the following scheduled workday.

CALL BACK

When called in to work; full-time employees shall be scheduled for a minimum of two hours.

RULES FOR PART-TIME EMPLOYEES

INSURANCE

1. All part-time employees and part-time Public Officials shall be eligible for medical insurance at their own expense. Public Officials shall be defined as anyone who is required to sign an Oath of Office to discharge their duties. Any part-time employee or part-time Public Official who participates in the insurance plan shall be required to have the monthly payment to the Village Clerk no later than 10 days prior to the premium due date. Should the payment not be received the coverage will cease.
2. The Village Attorney shall be eligible for medical insurance at his own expense. The Village of Celoron agrees to credit the amount of his salary towards his contribution.

REMUNERATIONS

Part-time employees shall not receive paid vacation, paid sick days or paid personal days.

PAID HOLIDAYS

Part-time employees will receive the following paid holidays:

New Year's Day	Columbus Day
Martin Luther King Day	Veterans' Day
President's Day	Thanksgiving Day
Good Friday	Day following Thanksgiving Day
Memorial Day	Christmas Eve Day
Fourth of July	Christmas Day
Labor Day	New Year's Eve Day

The rate will be paid based upon a seven (7) hour work day. If a holiday falls on a Saturday, the holiday will be taken on Friday. If the holiday falls on Sunday, the holiday will be taken on Monday. Employees must work the scheduled day before and the scheduled day after the holiday in order to receive payment for the holiday unless the appropriate supervisor has approved a scheduled day off. New employees shall be eligible for paid holidays after successful completion of the forty-five (45) day probationary period. Hourly employees will receive time-and-a-half (1 1/2) pay plus their holiday pay for any holiday worked.

**SCHEDULED
TIME OFF**

Part-time employees may schedule time off from their usual work week. Requests must be submitted in writing and approved by the appropriate supervisor a minimum of three (3) business days before the desired time off.

CALL BACK

When called in to work; part-time employees shall be scheduled for a minimum of two hours.

RULES FOR SEASONAL OR TEMPORARY EMPLOYEES

The Board appoints Temporary or Seasonal Employees for a limited period of time. They are ineligible to participate in health insurance benefits, holidays, personal days, sick leave or vacation.

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

Carried: 4 ayes

Resolution #26 – 2015-16

RESOLVED, That the following positions and pay scales be and hereby are adopted for the highway department:

<u>Position</u>	<u>Entry</u>	<u>6 months</u>	<u>1 year</u>
Laborer – Summer Temporary	Minimum Wage		
Utility worker	\$10.00/hour	\$10.50/hour	\$11.00/hour
Motor Equipment Operator	\$12.00/hour	\$12.50/hour	\$13.50/hour

Utility worker and Motor Equipment Operator shall, after one year of employment, have a yearly evaluation for any future salary increases.

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

Carried: 4 ayes

Resolution #27 – 2015-16

WHEREAS, the Board of Trustees of the Village of Celoron, New York wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for funding to support the development of a full-

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service destination hotel to be located near the intersection of Dunham Avenue and Duquesne Street in the Village of Celoron by Chautauqua Harbor Hotel, LLC (the "Project"); and

WHEREAS, the Village is required to hold a public hearing to provide information to the public and to consider citizen comments regarding the CDBG program and the Project prior to submitting an application for CDBG funding; now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Celoron, New York hereby calls for a Public Hearing whereat all interested parties shall be heard; and be it further

RESOLVED, that the Public Hearing shall be held on September 26, 2016 at 6:00 PM at the Village of Celoron Community Center, 47 Dunham Avenue, Celoron, NY; and be it further

RESOLVED, that the Village Clerk is hereby directed to have published at least once in The Post Journal at least seven (7) days before the date scheduled for the Public Hearing, the Public Hearing Notice that is attached hereto.

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
VILLAGE OF CELORON, NY
OFFICE OF COMMUNITY RENEWAL
GRANT PROGRAM**

NOTICE IS HEREBY given that the Board of Trustees of the Village of Celoron will hold a public hearing on Monday, September 26, 2016 at 6:00 PM at the Village of Celoron Community Center, 47 Dunham Avenue, Celoron, NY to discuss the community and economic development needs of the Village of Celoron and the Village's potential submission of an application to the New York State Office of Community Renewal for Community Development Block Grant funding to support the development of a destination hotel near the intersection of Dunham Avenue and Duquesne Street in the Village of Celoron by Chautauqua Harbor Hotel, LLC. More detailed information regarding the project will be presented at the hearing. The hearing facilities are handicapped accessible. .

Written or oral statements will be received at that time. Time limitations may be imposed for each oral statement, if deemed necessary. Written comments will be accepted at the Public Hearing or upon delivery by 5:00 PM on September 26, 2016 to the Village Clerk, 21 Boulevard Ave., PO Box 577, Celoron, NY 14720-0577

Dated: September 13, 2016

By Order of the Board of Trustees
Shirley A. Sanfilippo, MMC/CMFO
Clerk-Treasurer

Publication Date: September 15, 2016

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

Carried: 4 ayes

MAYOR'S COMMENTS:

Mayor Schrecengost thanked the following Village organizations for the donations to the Lucille Ball Park Improvement Fund:

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Celoron Hose Co. No. 1, Inc.
Celoron Hose Co. No. 1, Inc. Auxiliary
Chautauqua Lake Fishing Association
Lakewood Celoron Moose Lodge #2587

He stated that the Village will be applying next year for another housing improvement grant and encourage resident home owners to complete pre-applications.

OPPORTUNITY FOR PUBLIC COMMENT:

None

Trustee Keeney motioned to adjourn the meeting. Mayor Schrecengost seconded the motion.

Carried: 4 ayes

The meeting was adjourned at 6:45 P.M.

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