

December 11, 2017

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, December 11, 2017 at 6:00 P.M.

Members Present: Mayor Schrecengost, Trustees Keeney, Moss, Young and Shanahan

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

Dale Robbins, of the Chautauqua Lake Partnership, asked for support for the completion of a Supplemental Environmental Impact Statement (SEIS).

APPROVAL OF MINUTES:

Trustee Shanahan motioned, seconded by Trustee Keeney to approve the minutes of the Public Hearing and Organizational Meeting of December 4, 2017.

Carried: 5 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – Trustee Shanahan and the Board reviewed the report from the Code Enforcement Officer.

ANIMAL CONTROL – Trustee Young – none

PARKS – Trustee Young reported that the SWAS who used the concession stand and ball field will be having a meeting in January and will talk about the needed repairs to the concession stand.

HIGHWAY AND EQUIPMENT – Trustee Moss and the Board reviewed two quotes of \$2,400 and \$3,700 to supply a new salt spreader.

Trustee Moss moved, seconded by Trustee Shanahan to approve the purchase of a new salt spreader in the amount of \$2,400 from Southern Tier Municipal & Construction Supply Co.

Carried: 5 ayes

PLANNING – Trustee Shanahan – none

SANITATION – Trustee Moss – none

CORRESPONDENCE – Clerk Sanfilippo – none

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #13 in the amount of \$31,778.67, check #3523 thru 3541, dated December 1-11, 2017.

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

Carried: 5 ayes

AUDIT – Trustee Moss – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Moss – none

RECREATION – Trustee Keeney – none

SPECIAL EVENTS – Trustee Keeney reported that 78 children were signed up for the Children's Christmas Party.

ZONING – Trustee Shanahan – none

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution #9 - 2017-18

BE IT RESOLVED by the Village Board of Trustees of the Village of Celoron, Chautauqua County, as follows:

Section 1. It is hereby determined that the Village Board of Trustees adopting this resolution declares itself to be the lead agency under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. It is hereby determined that the project described in Section 3 hereof is an Unlisted Action which, in accordance with the regulations will not have any significant adverse impact upon the environment.

Section 3. The project which is the subject of this resolution, including its maximum estimated cost, is described as follows:

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Construction of improvements to Lucille Ball Memorial Park, in and for the Village of Celoron, Chautauqua County, New York, at a maximum estimated cost of \$900,000.

Section 4. This resolution shall take effect immediately.

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

Carried: 5 ayes

Resolution #10 - 2017-18

BOND RESOLUTION DATED DECEMBER 11, 2017.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF IMPROVEMENTS TO LUCILLE BALL MEMORIAL PARK, IN AND FOR THE VILLAGE OF CELORON, CHAUTAUQUA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$900,000 AND AUTHORIZING THE ISSUANCE OF \$900,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide same will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Village Board of Trustees of the Village of Celoron, Chautauqua County, New York, as follows:

Section 1. The construction of improvements to Lucille Ball Memorial Park, in and for the Village of Celoron, Chautauqua County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$900,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$900,000 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however that the amount of serial bonds ultimately to be issued shall be reduced by any grants-in-aid received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Celoron, Chautauqua County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Trustee Shanahan moved, seconded by Trustee Moss to approve the resolution.

Carried: 5 ayes

Resolution #11 – 2017-18

WHEREAS, on April 12, 2010, the Board of Trustees of the Village of Celoron, New York adopted Resolution #7 - 2010-11, which established the Standard Work Day of eight (8) hours for Village of Celoron employees, and

WHEREAS, the Celoron Village Attorney is an Appointed Official of the Village of Celoron that does not participate in the Village of Celoron's Time Keeping System, and

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WHEREAS, John D. Vanstrom was re-appointed as Village Attorney in and for the Village of Celoron, New York, for the term of office beginning December 4, 2017 and expiring on December 2, 2019, and

WHEREAS, John D. Vanstrom is a Tier V member of the New York State and Local Employees' Retirement System who has submitted his Recertification of the Record of Activities (RS2419) to the Celoron Village Clerk-Treasurer; now therefore, be it

RESOLVED, That, the Village of Celoron (Location Code 40153) hereby establishes, and will report, 2.36 days worked/month for Village Attorney John D. Vanstrom to the New York State and Local Employees' Retirement System.

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

Carried: 5 ayes

Mayor Schrecengost read the following resolution:

Resolution #12 - 2017-18

WHEREAS, the Town of Ellery Board proposes to apply for a permit from the New York State Department of Environmental Conservation (NYSDEC) to apply herbicides to areas of Chautauqua Lake bordering its jurisdiction and has concluded that the application of herbicides is considered a Type I action under the State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations (SEQRA); and

WHEREAS, the Town of Ellery Board understands that the NYSDEC will require a Supplemental Environmental Impact Statement (SEIS) pursuant to SEQRA to address the potential environmental impacts of the proposed herbicide treatments and would like to designate itself as a SEQRA Involved Agency and assume lead status; and

now therefore be it

RESOLVED, That the Board of Trustees of the Village of Celoron hereby supports the efforts of the Chautauqua Lake Partnership and the Town of Ellery to complete a Supplemental Environmental Impact Statement pursuant to SEQRA to address the potential environmental impacts of the proposed herbicide treatments.

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

Carried: 5 ayes

MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

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

Carried: 5 ayes

The meeting was adjourned at 6:29 p.m.

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