

March 11, 2019

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, March 11, 2019 at 6:00 P.M.

Members Present: Mayor Schrecengost, Trustees Burnett, Keeney, Mattison and Moss

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom, Highway Superintendent Terry W. Schrecengost and four representatives from the Chautauqua Lake Partnership

Mayor Schrecengost called the meeting to order, asked the Clerk to call the roll and led the Pledge of Allegiance.

MAYOR'S COMMENTS:

Mayor Schrecengost and the Board discussed replacing the lighthouse at the boat launch.

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Keeney motioned, seconded by Trustee Mattison to approve the minutes of the Public Hearing and Regular Meeting of February 11, 2019.

Carried: 5 ayes

COMMITTEE REPORTS

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

ANIMAL CONTROL – Trustee Burnett – none

PARKS – Trustee Burnett and the Board discussed amending the Facility Use Requirements to consider property owners (tax payers) as residents.

Trustee Keeney moved, seconded by Trustee Burnett to add the following language to the Facility Use Requirements: Property Owners (tax payers) shall be considered residents for the purpose of facility rentals.

Carried: 5 ayes

Mayor Schrecengost and the Board discussed the need to apply for permits to construct a new dock and to repair the boat launch.

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Trustee Mattison moved, seconded by Trustee Moss to authorize Mayor Schrecengost to apply for permits to construct a new dock and to repair the boat launch.

Carried: 5 ayes

HIGHWAY AND EQUIPMENT – Trustee Moss – none

PLANNING – Trustee Burnett – none

SANITATION – Trustee Moss – none

CORRESPONDENCE – The Clerk advised that there will be a Mayors and Supervisors meeting on March 28, 2019 at the See Zurh House.

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #18 in the amount of \$32,802.28, check #3972 thru #3980, dated February 12-28, 2019; Trust & Agency Abstract #9 in the amount of \$2,105.11, check #5217 thru #5218, dated February 28, 2019; and Abstract #19 in the amount of \$16,857.68, check #3981 thru #3997, dated March 1-11, 2019.

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

Carried: 5 ayes

The Clerk distributed the Tentative Budget for 2019-2020.

Trustee Mattison moved, seconded by Trustee Moss to set a Public Hearing on the Tentative Budget for Monday, April 8, 2019 at 5:50 p.m. in the Community Center.

Carried: 5 ayes

AUDIT – Trustee Moss – none

INSURANCE – Trustee Mattison – none

BUILDING – Trustee Moss – none

RECREATION – Trustee Keeney – none

SPECIAL EVENTS – Trustee Keeney and the Board discussed the Easter Egg Hunt.

Trustee Keeney moved, seconded by Trustee Burnett to approve the Easter Egg Hunt for April 20, 2019 and purchase the bikes to give away.

Carried: 5 ayes

ZONING – Trustee Mattison –none

OLD BUSINESS

None

NEW BUSINESS

The Board reviewed a proposal from the Chautauqua County Board of Elections to consolidate polling places at The Resource Center and no longer utilize the Celoron Community Center.

Trustee Keeney moved, seconded by Trustee Mattison to notify the Chautauqua County Board of Elections that the Village of Celoron Board of Trustees does not object to relocating the polling places to The Resource Center.

Carried: 5 ayes

The Board discussed the SEQR findings for herbicide treatment.

RESOLUTIONS:

Resolution #15 – 2018-19

WHEREAS, Chapter 60 of the Village of Celoron Code prohibits open containers of alcoholic beverages on the Village property unless authorized in advance by the Board of Trustees, and

WHEREAS, it is desirable and appropriate to allow the limited consumption of alcoholic beverages at the Celoron Village Park in connection with the Rib-Fest scheduled for June 5, 6, 7, & 8, 2019, it is therefore

RESOLVED, That the Board of Trustees hereby authorizes open containers of alcoholic beverages at the Celoron Village Park in connection with the Rib-Fest scheduled for June 5, 6, 7, & 8, 2019, in accordance with the following terms and conditions:

1. No alcoholic beverages shall be sold, delivered, given away, or allowed to be consumed or in the possession of:
 - a. Any person actually or apparently under the age of 21 years old
 - b. Any person who is actually or apparently intoxicated
 - c. Any person who is loud, obnoxious, belligerent, or otherwise behaving in an inappropriate manner
2. No alcoholic beverages shall be consumed or in the possession of any person except in the area specifically designated by the Village of Celoron for such purpose.
3. Only alcoholic beverages sold by the Celoron Rib-Fest Committee may be consumed or in the possession of any person; no privately supplied alcohol can be consumed or in the possession of any person, including specifically any coolers or other alcoholic beverages of any kind.
4. The Celoron Rib-Fest Committee must have a duly approved alcohol license in advance of the event, a copy of which must be provided to the Village Clerk.
5. The Celoron Rib-Fest Committee must have Dram Shop insurance and public liability insurance of at least \$1 million, which insurance must name the Village of Celoron as additional named insured for the purposes of coverage but not the payment of premium, and it is further

RESOLVED, That any person who fails to comply with the terms and conditions of this Resolution shall be in violation of Chapter 60 of the Village of Celoron Code, punishable by a fine not exceeding \$250.00, imprisonment for not more than 15 days, or both such fine and imprisonment, for each offense.

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

Carried: 5 ayes

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Resolution #16 - 2018-19

Resolved, That Village Clerk-Treasurer Shirley A. Sanfilippo be and she hereby is authorized to attend the Southern Tier West Local Government Conference to be held in Houghton, New York on May 9, 2019 with expenses to paid pursuant to Section 77-b of the General Municipal Law.

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

Carried: 5 ayes

Resolution #17 – 2018-19

WHEREAS, the Town Board of the Town of Ellery (“Ellery Town Board”), serving as Lead Agency in the State Environmental Quality Review Act (“SEQRA”) process, issued a final supplemental impact statement (“SEIS”) for the application of herbicides to target areas of Chautauqua Lake on April 5, 2018; and

WHEREAS, the Ellery Town Board, serving as Lead Agency, issued SEQRA Findings regarding the application of herbicides to Chautauqua Lake on April 17, 2018; and

WHEREAS, herbicides were successfully applied to Chautauqua Lake on June 11, 2018 pursuant to permits issued by the New York State Department of Environmental Conservation (“NYSDEC”); and

WHEREAS, the Towns of Busti, Ellery, Ellicott, and North Harmony and Villages of Celoron and Lakewood have proposed to undertake the application of herbicides to areas of Chautauqua Lake bordering their respective jurisdiction in 2019; and

WHEREAS, the 2019 proposed treatment areas are not identical to the 2018 proposed treatment areas; and

WHEREAS, the Ellery Town Board, serving as Lead Agency, executed a Full Environmental Assessment Form and issued a Technical Memorandum studying the 2019 proposed treatment area and concluding that a supplement environmental impact statement was not required; and

WHEREAS, the Celoron Village Board has proposed to undertake the application of herbicides to areas of Chautauqua Lake bordering its jurisdiction and has applied for a permit from the NYSDEC to apply herbicides to areas of Chautauqua Lake bordering its jurisdiction; and

WHEREAS, as an Involved Agency in the SEQRA process, the Celoron Village Board has the authority to issue SEQRA Findings that consider all relevant environmental impacts, facts, and conclusions disclosed in the SEIS and Technical Memorandum; that weigh and balance the relevant environmental impacts with social, economic, and other considerations; that provide a rationale for the Village Board’s decision; that certify that the requirements of SEQRA have been met; and that certify that, among the reasonable alternatives available, the application of herbicides to areas of Chautauqua Lake bordering the Village of Celoron’s jurisdiction avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

WHEREAS, the Celoron Village Board has considered all relevant environmental impacts, facts, and conclusions disclosed in the SEIS and Technical Memorandum that are relevant to the application of herbicides to areas of Chautauqua Lake bordering the Village of Celoron’s jurisdiction; has weighed and balanced the relevant environmental impacts with social, economic, and other considerations; and has found that the SEIS has provided a rationale upon which the Village Board may rely in making any final decisions on whether to undertake the application of herbicides to target areas of Chautauqua Lake; and

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WHEREAS, the Celoron Village Board reviewed the Amended Findings; and

WHEREAS, the Celoron Village Board is reserving its decision on whether to undertake the application of herbicides to Chautauqua Lake until after its receipt and review of any and all relevant permits from the NYSDEC; now, therefore be it

RESOLVED, by the Board of Trustees of the Village of Celoron:

- To certify that the requirements of SEQRA have been met;
- To certify that, among the reasonable alternatives available, the proposed treatment plan and mitigations set forth in the SEIS regarding the application of herbicides to targeted areas of Chautauqua Lake avoids or minimizes adverse environmental impacts to the maximum extent practicable;
- To incorporate to this resolution by reference the attached Amended Findings;
- To accept and issue the said Amended Findings;
- To provide the Amended Findings to all Involved and Interested Agencies (as those terms are defined in 6 NYCRR § 617.2) and Interested Parties;
- After issuance and review of any permit(s) from the NYSDEC, to consider the SEIS, SEQRA Findings, and permit requirements to make a determination whether to approve a resolution to apply herbicides to Chautauqua Lake.

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

Carried: 5 ayes

MAYOR'S COMMENTS:

Mayor Schrecengost advised that the condition of Burtis Bay is still unknown until the ice goes off the lake. The grant funding will still be available to use this spring. There will be a meeting of local officials when the ice is gone to determine how the cleanup will proceed.

Mayor Schrecengost apprised the Board of changes that had to be made to the design of the new amenities due to estimated cost overruns.

OPPORTUNITY FOR PUBLIC COMMENT:

None

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

Carried: 5 ayes

The meeting was adjourned at 6:43 p.m.

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