

February 8, 2021

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, February 8, 2021 at 6:00 P.M.

Members Present: Mayor Schrecengost, Trustees Burley, Burnett and Moss

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

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 Burley motioned, seconded by Trustee Moss to approve the minutes of the Regular Meeting of January 11, 2021.

Carried: 4 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – The Board reviewed the Code Enforcement Officer's report for January.

ANIMAL CONTROL – Trustee Burnett – none

PARKS – The Board reviewed the tabled request from the Catholic Daughters of the Americas to hold a drive-thru chicken BBQ this summer. Trustee Burley advised the Board that they would need restroom facilities; they were looking at doing it on one or more Sundays from 10:00 am to 2:00 pm from June through September; and they would need electric. Trustee Burley will contact them to find out specific dates and how much power they would need (110 or 220).

HIGHWAY AND EQUIPMENT – The Board reviewed the estimate from Jenkins Plumbing & Excavation, Inc. to install the new water line at the highway department building. This firm installed the radiant heating when the building was recently constructed.

Trustee Burnett moved, seconded by Trustee Burley to accept the estimate from Jenkins Plumbing & Excavation, Inc. in the amount of \$1,220.00 for the installation of a water line at the new highway building.

Carried: 4 ayes

February 8, 2021

The Board reviewed a revised quote for the purchase of a new backhoe under New York State Contract pricing.

Trustee Moss moved, seconded by Trustee Burnett to accept the quote from Five Star Equipment, Inc. for the purchase of a new 2021 John Deere 310SL HL Backhoe Loader in the amount of \$110,250.00 per Contract #032119 JD-NYS OGS.

Carried: 4 ayes

PLANNING – none

SANITATION – Trustee Moss – none

CORRESPONDENCE – Clerk – none

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #16 in the amount of \$19,655.41, check #5029 thru #5044, dated January 12-31, 2021; Trust & Agency Abstract #8 in the amount of \$2,583.88, check #5301-5303, dated January 25, 2021; and Abstract #17 in the amount of \$16,846.50, check #5045 thru 5054, dated February 1-8, 2021.

Trustee Moss moved, seconded by Trustee Burnett to approve the abstracts.

Carried: 4 ayes

The Board discussed herbicide permits for Chautauqua Lake.

WHEREAS, the Board is considering whether to undertake the application of herbicides to areas of Chautauqua Lake bordering the Village of Celoron's jurisdiction cooperatively with the Town of Ellicott in 2021;

WHEREAS, pursuant to Article 15 of the New York State Environmental Conservation Law and Part 327 of the Official Compilation of Codes, Rules, and Regulations of the State of New York, the New York State Department of Environmental Conservation must issue a permit prior to the application of herbicides to waters within the State of New York; and

WHEREAS, the Village of Celoron is a riparian owner and desires to apply for a permit in cooperation with the Town of Ellicott to apply herbicides in Chautauqua Lake;

Now therefore be it,

RESOLVED, That the Board of Trustees of the Village of Celoron does hereby approve the submission of applications for Article 15 permit(s) and a New York State Pollution Discharge Elimination System (if so required) related to the application of herbicides to areas of Chautauqua Lake boarding the Village of Celoron cooperatively with the Town of Ellicott with costs to be shared proportionately.

Trustee Burley moved, seconded by Trustee Moss to approve the resolution to partner with the Town of Ellicott for herbicide permits and share the costs proportionately.

Carried: 4 ayes

The Board discussed heating costs for the security system in the Summer Wind Office. No action was taken at this time.

AUDIT – Trustee Moss – none

INSURANCE – none

BUILDING – Trustee Moss – none

RECREATION – Trustee Burley – none

SPECIAL EVENTS – Trustee Burley stated that the Rib-Fest has been canceled for this year.

ZONING – none

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution #10 – 2020-21

SUPPLEMENTAL BOND RESOLUTION DATED FEBRUARY 8, 2021.

A RESOLUTION SUPPLEMENTING, SUBJECT TO PERMISSIVE REFERENDUM, THE BOND RESOLUTION OF DECEMBER 11, 2017 FOR THE ISSUANCE OF \$900,000 BONDS OF THE VILLAGE OF CELORON, CHAUTAUQUA COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE LUCILLE BALL MEMORIAL PARK, IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Celoron, Chautauqua County, New York, on December 11, 2017, duly adopted a bond resolution authorizing the issuance of \$900,000 bonds of said Village to pay the cost of the construction of improvements to Lucille Ball Memorial Park, including original furnishings, equipment, machinery, apparatus, appurtenances, site improvement and incidental improvements and expenses in connection therewith, in and for said Village of Celoron, Chautauqua County, New York; and

WHEREAS, the specific object or purpose of improvements to the Lucille Ball Memorial Park included several capital projects, including a new amenities building with site improvements, parking lot improvements and other incidental improvements, and a new boardwalk; and

WHEREAS, said capital project, as proposed, 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, which it was determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to amend the plan of financing for such specific object or purpose as a class of objects or purposes; NOW, THEREFORE,

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

Section 1. The maximum estimated cost of the class of objects or purposes is hereby revised to \$1,744,206.98. Section 2 of the bond resolution of December 11, 2017 is hereby amended to read as follows:

It is hereby determined that the plan of financing of said class of objects or purposes is as follows:

February 8, 2021

- a) by the issuance of the \$900,000 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted December 11, 2017 (the "2017 Bond Resolution");
- b) the expenditure of \$825,582.40 grant monies, heretofore authorized to be expended therefor; and
- c) the application of \$18,624.58 other available monies heretofore authorized to be expended therefor, applicable to construction costs.

Section 2. Pursuant to the provisions of Section 32.00(4) of the Local Finance Law, it is hereby determined that the object or purpose described in said 2017 bond resolution is a class of objects or purposes consisting of specific objects or purposes for which more than one period of probable usefulness is prescribed, being construction of a new amenities building, including site improvements, twenty-five years pursuant to subdivision 11(a), construction of a new boardwalk at the boat launch dock site, twenty years pursuant to subdivision 7, and parking lot and incidental park improvements, fifteen years pursuant to subdivision 19(c), each of Section 11.00 of the Local Finance Law. The 2017 bond resolution is hereby amended accordingly. The allocations of the maximum estimated cost and obligations thereto is as set forth in the appropriation resolutions of this Village Board of Trustees relating thereto in accordance with Section 32.00(2) of the Local Finance Law, as on file in the office of the Village Clerk.

Section 3. The faith and credit of said Village of Celoron, Chautauqua County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. 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 5. 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 6. Upon this resolution taking effect, a summary thereof shall be published in the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 7. This resolution is adopted subject to permissive referendum.

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

Carried: 4 ayes

MAYOR'S COMMENTS:

Mayor Schrecengost noted with sadness the passing of "Captain" Rick Willman and offered best wishes to his family.

February 8, 2021

OPPORTUNITY FOR PUBLIC COMMENT:

None

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

Carried: 4 ayes

The meeting was adjourned at 6:35 p.m.

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