

August 9, 2021

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 August 9, 2021 at 6:00 P.M.

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

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

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 advised that resignations have been received from David Killock as a laborer and Sue Ellen Nelson from the Zoning Board of Appeals. The resignations were accepted with regret.

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Burley motioned, seconded by Trustee Moss to approve the minutes of the Regular Meeting of July 12, 2021.

Carried: 5 ayes

COMMITTEE REPORTS

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

ANIMAL CONTROL – Trustee Burnett – none

PARKS – Trustee Burnett and the Board reviewed the application of Connie Mahar to clean the park restrooms.

Trustee Burnett moved, seconded by Trustee Burley to hire Connie Mahar to clean the park restrooms at the minimum wage rate of \$12.50 per hour.

Carried: 5 ayes

HIGHWAY AND EQUIPMENT – Mayor Schrecengost stated that he had received numerous calls with offers of assistance from neighboring municipalities.

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Trustee Moss and the Board reviewed quotes for additional equipment for the new backhoe. There is approximately \$1,950.00 remaining in the USDA grant.

Trustee Burnett moved, seconded by Trustee Moss to purchase a license plate bracket, bumper grill frame, cutting edge and a post hole digger for the new backhoe from Fire Star Equipment in an amount not to exceed \$4,500.00.

Carried: 5 ayes

The Board discussed the purchase of a 2009 Trackless MT-6, Serial #MT6-1109 from the City of Jamestown.

Trustee Berlund moved, seconded by Trustee Burley to approve the purchase of a 2009 Trackless MT-6, Serial #MT6-1109 from the City of Jamestown in the amount of \$5,000.00, subject to any insurance re-imbusement.

Carried: 5 ayes

PLANNING – Trustee Burnett - none

SANITATION – Trustee Moss advised that garbage will be collected tomorrow. The garbage truck was not damaged in the fire.

CORRESPONDENCE – Clerk – none

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #4 in the amount of \$124,327.19, check #5197 thru #5210, dated July 13-31, 2021; Trust & Agency Abstract #2 in the amount of \$2,988.88, check #5316-5318, dated June 25, 2021; and Abstract #5 in the amount of \$14,247.16, check #5211 thru 5230, dated August 1-9, 2021.

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

Carried: 5 ayes

AUDIT – Trustee Moss – none

INSURANCE – Trustee Berlund – none

BUILDING – Trustee Moss – none

RECREATION – Trustee Burley stated that Kokomo Time Band had performed on August 4, 2021 and Level 3 will be performing on August 11, 2021 in the bandshell from 6:30 p.m. to 8:30 p.m.

SPECIAL EVENTS – Trustee Burley asked about the Children’s Christmas Party. Mayor Schrecengost advised that we usually work with The Resource Center to schedule it and discuss this in September.

ZONING – Trustee Berlund – none

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution # 26 -2020-21

Resolved, That Village Clerk-Treasurer Shirley A. Sanfilippo be and she hereby is authorized to attend the NYCOM-OSC Fall Training School to be held in Saratoga Springs, New York on September 20 – 24, 2021 with expenses to paid pursuant to Section 77-b of the General Municipal Law.

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

Carried: 5 ayes

Resolution #27 – 2020-21

RESOLVED, That the Clerk Treasurer be and she hereby is authorized to make the following amendments to the 2021-2022 General Operating Budget:

<u>REVENUES</u>		
INCREASE:	A5710, BONDS	\$ 54,000.00
	A4289, USDA GRANT	<u>\$ 50,000.00</u>
	Total	\$104,000.00
<u>APPROPRIATIONS</u>		
INCREASE:	A5110.2, Streets, Equipment	\$110,250.00
DECREASE:	A5110.4, Streets, Contractual	\$6,250.00

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

Carried: 5 ayes

Resolution #28 – 2020-21

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement for Snow Removal and Ice Control with Chautauqua County for the following amounts:

October 1, 2021-October 31, 2022	\$6,101.00
November 1, 2022-October 31, 2023	\$6,284.00
November 1, 2023-April 30, 2024	\$6,473.00

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

Carried: 5 ayes

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Local Law to be presented:

Local Law No. 2 of 2021

Village of Celoron, County of Chautauqua

**A local law adopted pursuant to Cannabis Law Section 131
opting out of licensing and establishing retail cannabis
dispensaries and/or on-site cannabis consumption
establishments within the Village of Celoron.**

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Celoron out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Board of Trustees of the Village of Celoron, County of Chautauqua, hereby opts-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the boundaries of the Village of Celoron.

Section 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 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.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Trustee Burley moved, seconded by Trustee Moss to table the local law and set a public hearing for September 13, 2021 at 5:45 p.m. in the Community Center, 47 Dunham Avenue.

Carried: 5 ayes

MAYOR'S COMMENTS:

The Board discussed the fire at the highway garage and possibly utilizing an outside contractor to negotiate with our insurance company.

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OPPORTUNITY FOR PUBLIC COMMENT:

None

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

Carried: 5 ayes

The meeting was adjourned at 6:31 p.m.

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