

June 13, 2011

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, June 13, 2011 at 7:00 P.M.

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

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC, Village Attorney John D. Vanstrom, Highway Superintendent Terry Schrecengost, Annette Johnson, Dave Johnson and two members of the public.

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

MAYORAL COMMENTS:

Mayor Keeney thanked the employees, Board Members and the volunteers for all their hard work to make the 2011 Rib-Fest a success.

MAYORAL APPOINTMENT:

Mayor's Office
To the Board of Trustees of the Village of Celoron, New York

Trustees:

In pursuance of the authority vested in me by the Village Law of the State of New York, I do hereby nominate the following:

Becky Holmstrom
11 Melvin Avenue, P.O. Box 422
Celoron, NY 14720-0422

to be appointed a member of the Planning Board in and for the Village of Celoron, New York. The term for which said appointment is to be made will expire on April 1, 2013. (To fill the unexpired term of Ronald Brown, resigned.)

Dated: June 13, 2011

John M. Keeney
Mayor of the Village of Celoron, New York

Trustee Kogut moved, seconded by Trustee Schrecengost to approve the appointment.

Carried: 5 ayes

OPPORTUNITY FOR PUBLIC COMMENT:

None

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APPROVAL OF MINUTES:

Trustee Young motioned, seconded by Trustee Schrecengost to approve the minutes of the Regular Meeting of May 9, 2011.

Carried: 5 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – Trustee Kogut presented the report from the Code Enforcement Officer.

ANIMAL CONTROL – Trustee Schrecengost asked Attorney Vanstrom about the status of changing the Code to list specific breeds for more restrictive leash requirements in the dog ordinance. Attorney Vanstrom responded that it was possible to do so. The Board discussed various solutions.

PARKS & RECREATION – Trustee Young stated that the Summer Concert Series was starting on June 15th. Mayor Keeney reviewed a request from T.A.R.A. to reserve the pavilion and bandshell on July 30, 2011. The Board suggested that they consider renting portable toilets to accommodate the number of attendees. Mayor Keeney reminded that the Summer Youth Recreation Program will be starting on July 12th for all children of parents or grandparents living in the Village of Celoron. Trustee Young asked about improvements to the Bandshell. The Board discussed installing a permanent dance floor and putting an extension on the front of the bandshell to keep rain from coming in on the cement floor.

HIGHWAY AND EQUIPMENT – Trustee Mattison recommended that the Motor Equipment Operator position be changed from a part-time to a full-time position.

Trustee Kogut moved, seconded by Trustee Mattison to approve Barry Archer as a full-time Motor Equipment Operator effective July 1, 2011.

Carried: 5 ayes

The board discussed placing a “Children at Play” sign or rumble strips on Livingston Avenue near Metcalf Avenue. No action was taken.

Mayor Keeney moved, seconded by Trustee Mattison to hire two (2) Summer Laborers beginning June 27, 2011.

Carried: 5 ayes

ZONING & PLANNING – Trustee Schrecengost – none

SANITATION – Trustee Mattison stated that we have received a request for garbage pickup at 80 Louisa Avenue.

Trustee Mattison moved, seconded by Trustee Kogut to approve an agreement with James A. Shook, 80 Louisa Avenue WE for garbage pickup.

Carried: 5 ayes

BUSINESS – Trustee Kogut – none

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

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1. Notification from Time Warner Cable of possible network changes and the movement of networks from standard to digital channels.
2. Donation from Anita Smith to the Youth Program (\$75.00) and the Flag Fund (\$25.00).

FINANCE – Entire Board/Clerk

Mayor Keeney asked for approval of Abstract #24 in the amount of \$27,880.39, Check #1021 to 1072 dated May 10-31, 2011; Abstract #1 in the amount of \$15,011.40, Check #1073 to 1092, dated June 1-13, 2011; and Trust & Agency Abstract #1 in the amount of \$119.52, Check #5005, dated May 1-13, 2011.

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

Carried: 5 ayes

AUDIT – Trustee Mattison – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

SPECIAL EVENTS – Mayor Keeney reviewed information he had received from the Downtown Jamestown Development Corporation on the Babe Ruth World Series Parade. He challenged organizations and/or individuals from the Village who might be interested in constructing a float for the parade to present their ideas to him at Village Hall. He felt that it was appropriate for the Village to have a float because in 1894 professional baseball locally had its start in Celoron Park. In 1921 Babe Ruth hit a home run out of the park and into Chautauqua Lake. Mayor Keeney said that Karaoke Night was planned for July 20, 2011.

Trustee Young asked when Village Hall was going to be painted. Mayor Keeney responded that it was scheduled to be painted when the summer laborers started at the end of the month. She suggested that an artist be commissioned to paint a mural on the east side of the building, perhaps a sailboat.

OLD BUSINESS

None

NEW BUSINESS

LARGE GROUP GATHERINGS

The Board discussed Chapter 19, Section 202 of the Village Code regarding the definition of a large group.

Trustee Mattison moved, seconded by Trustee Schrecengost to have a local law prepared to amend the definition of a large group to 200 or more people.

Carried: 4 ayes, Kogut, Mattison, Schrecengost, Keeney
1 nay, Young

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The Board discussed Chapter 19, Section 624 of the Village Code regarding Large Group Gatherings.

Mayor Keeney moved, seconded by Trustee Mattison to have a local law prepared to amend Section 19.624.A. to allow a Special Use Permit to be issued by the Board of Trustees, with conditions and fees as necessary.

Carried: 4 ayes, Kogut, Mattison, Schrecengost, Keeney
1 nay, Young

DOCK PERMIT

Annette Johnson, 61 W. Duquesne Avenue, requested permission to place a dock on the West Duquesne Avenue right of way to Chautauqua Lake. Mayor Keeney stated that any dock placed on public access could be utilized by the public. He asked Annette and Dave Johnson if they understood that the public had a right to use the dock and were they still interested in putting in a dock. They responded, yes.

Trustee Mattison moved, seconded by Trustee Schrecengost to issue a Dock Permit to Annette Johnson, 61 W. Duquesne Avenue, Celoron, NY on the West Duquesne Avenue right of way to Chautauqua Lake subject to the following conditions:

1. Only one (1) dock will be permitted;
2. The dock must be fully contained within the width of the public access;
3. A Certificate of Insurance in the amount of \$300,000 must be provided listing the Village of Celoron as the Certificate Holder and Additional Insured;
4. A detailed site plan with all dimensions clearly stated must be submitted prior to construction.

Carried: 4 ayes, Mattison, Schrecengost, Young, Keeney
1 abstain, Trustee Kogut

RESOLUTIONS

Resolution #34 – 2010-11

RESOLVED, That the bid of Five Star Equipment, Inc., Orchard Park, NY for the purchase of one new 2011 John Deere 310SJ Backhoe in the amount of \$73,900.00 less trade-in of one Cat 416D Backhoe in the amount of \$34,000.00 for a net price of \$39,900.00 be and hereby is accepted. This being the lower of two bids received and less than the New York State contract price.

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

Carried: 5 ayes

LOCAL LAW

LOCAL LAW NO. 2 OF 2011

**A LOCAL LAW AMENDING SECTION 19-403.C. OF
THE CODE OF THE VILLAGE OF CELORON, NEW YORK**

June 13, 2011

BE IT ENACTED by the Village Board of the Village of Celoron, New York, pursuant to the authority and provisions of §10 of the Municipal Home Rule Law and §7-725a of the New York State Village Law, as follows:

1. Intent. Amend Section 19-403.C. of the Code of the Village of Celoron, New York to allow as a use by Special Use Permit auto body repair as it relates to new or used car sales.

2. Amendment. Section 19-403.C. of the Code of the Village of Celoron shall be amended to add the following:

Auto Body Repair as it relates to new or used car sales

3. Effective Date. This local law shall become effective immediately upon filing with the New York State Secretary of State.

Trustee Schrecengost moved, seconded by Trustee Kogut to approve the local law.

Carried: 5 ayes

OPPORTUNITY FOR PUBLIC COMMENT:

None

Trustee Schrecengost motioned to adjourn the meeting. Trustee Mattison seconded the motion.

Carried: 5 ayes

The meeting was adjourned at 8:48 p.m.

Shirley A. Sanfilippo, MMC
Village Clerk-Treasurer