

December 12, 2011

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

ss:

The regular meeting of the Board of Trustees of the Village of Celoron, New York was held on Monday, December 12, 2011 at 7:00 P.M.

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

Members Absent: Trustee Kogut

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC, Village Attorney John D. Vanstrom, Highway Superintendent Terry Schrecengost, Dennis Phillips of The Post-Journal and one member of the public.

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

MAYOR'S COMMENTS:

Mayor Keeney thanked Trustee Mattison and Shirley Harmon for decorating the Community Center for the Christmas Season.

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Schrecengost motioned, seconded by Trustee Mattison to approve the minutes of the Organizational Meeting held on December 5, 2011.

Carried: 4 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – In Trustee Kogut's absence Mayor Keeney gave the report from the Code Enforcement Officer.

ANIMAL CONTROL – Trustee Schrecengost – none

PARKS & RECREATION – Trustee Young and the Board discussed the request of the Herman Kent Post 777 of the American Legion's request to use Lucille Ball Memorial Park to display The Moving Wall, a replica of the Vietnam Veterans' Memorial in Washington, D.C.

HIGHWAY AND EQUIPMENT – Trustee Mattison reported that the truck purchased from the Village of Lakewood was received and is set up to be used for winter maintenance with a salt spreader.

December 12, 2011

ZONING & PLANNING – Trustee Schrecengost and the Board discussed the failure of Chautauqua Lake Auto to comply with some of the conditions of the Special Use Permit that had been granted in October; specifically, the failure to erect the required fence within 60 days. A building permit had not even been applied for.

SANITATION – Trustee Mattison advised that Sandra Dowd, 209 Jackson Avenue WE had requested garbage pickup for her residence.

Trustee Mattison moved, seconded by Trustee Young to approve an agreement with Sandra Dowd, 209 Jackson Avenue WE for garbage pickup.

Carried: 4 ayes

The Board discussed the current fees for dumpsters. It has been two years since they were changed. Fuel costs and tipping fees have increased. A resolution will be prepared for the January meeting to increase the fees by \$5.00 per quarter.

BUSINESS – Trustee Kogut – none

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Notification from Time Warner Cable of possible network changes.

FINANCE – Entire Board/Clerk

Mayor Keeney asked for approval of Abstract #12 in the amount of \$14,973.86, Check #1279 thru 1288, dated November 15-30, 2011 and Abstract #13 in the amount of \$22,147.94, check #1289 thru 1303, dated December 1-12, 2011.

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

Carried: 4 ayes

AUDIT – Trustee Mattison – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

SPECIAL EVENTS – Trustee Mattison reviewed the following upcoming events:

- The Seniors Living Alone dinner will be held at 4:30 p.m. on Wednesday, December 14, 2011 in the Community Center, 47 Dunham Avenue.
- The Olde Fashion Christmas Celebration and announcement of Christmas Lighting Contest winners will be on Sunday, December 18, 2011 beginning at 3:00 p.m.

OLD BUSINESS

Mayor Keeney stated that the second Public Meeting for the LWRP will be held tomorrow, December 13, 2011 at 7:00 p.m. in the Community Center. The Advisory Board will be meeting at 5:30 p.m. on the same day.

December 12, 2011

RESOLUTIONS

Resolution #7 – 2011-12

WHEREAS, at the May 8, 2006 meeting of the Board of Trustees of the Village of Celoron James Eck requested that the carriage road adjacent to his property be abandoned and Norman L. Mattison asked to be included in this request, and

WHEREAS, the Board of Trustees at their May 8, 2006 regular meeting referred the request to abandon the carriage road to the Village of Celoron Planning Board for a recommendation, and

WHEREAS, on July 21, 2006 the Village of Celoron Planning Board recommended that the Board of Trustees schedule a Public Hearing on the request of James Eck and Norman L. Mattison to abandon the carriage road adjacent to Section 202, Block 9, Lots 8, 9, 10, 11, 12, 14, 15 and 16, also known as 369.15-3-12, 13, 15, and

WHEREAS, on August 14, 2006 a Public Hearing was held by the Board of Trustees on the request of James Eck and Norman L. Mattison to abandon the carriage road adjacent to Section 202, Block 9, Lots 8, 9, 10, 11, 12, 14, 15 and 16, also known as 369.15-3-12, 13, 15, and

WHEREAS, on August 14, 2006 at a regular meeting of the Board of Trustees of the Village of Celoron a motion was made and carried to grant a quit claim deed for the carriage lane adjacent to Section 202, Block 9, Lots 8, 9, 10, 11, 12, 14, 15 and 16, also known as 369.15-3-12, 13, 15, to James Eck and Norman L. Mattison once a survey of the property is drawn and presented to the Village Clerk, and

WHEREAS, said survey dated October 6, 2006 was drawn and presented to the Village Clerk, and

WHEREAS, on January 23rd and 24th, 2009 the abutting property owners signed a statement that they agreed to the abandonment of said carriage way, and

WHEREAS, on February 16, 2009 a legal notice was published of a second public hearing, and

WHEREAS, on February 23, 2009 a second Public Hearing was held at 6:45 p.m. in regards to the request of James Eck and Norman L. Mattison to abandon said carriage road, and

WHEREAS, at the February 23, 2009 regular meeting of the Village of Celoron Board of Trustees a motion was made and carried to abandon said carriage road, now, therefore, be it

RESOLVED, By the Board of Trustees of the Village of Celoron that the carriage road/lane adjacent to Section 202, Block 9, Lots 8, 9, 10, 11, 12, 14, 15 and 16, also known as 369.15-3-12, 13, 15, be and hereby is abandoned, and be it further

RESOLVED, That said former carriage lane/road be conveyed to the abutting property owners James Eck and Norman L. Mattison in accordance with the attached survey.

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

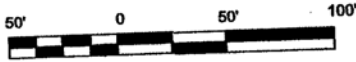
Carried: 3 ayes; 1 abstain, Mattison

Per the New York State Education Law, Article 145, Section 7209, it is a violation of law for any person, unless he is acting under the direction of a NYS Licensed Land Surveyor, to alter any item on this document in any way. If any item on this document is altered in any way, the altering NYS Licensed Land Surveyor must affix his seal and the notation "altered by", followed by his signature, the date of the alteration, and a specific description of the alteration.

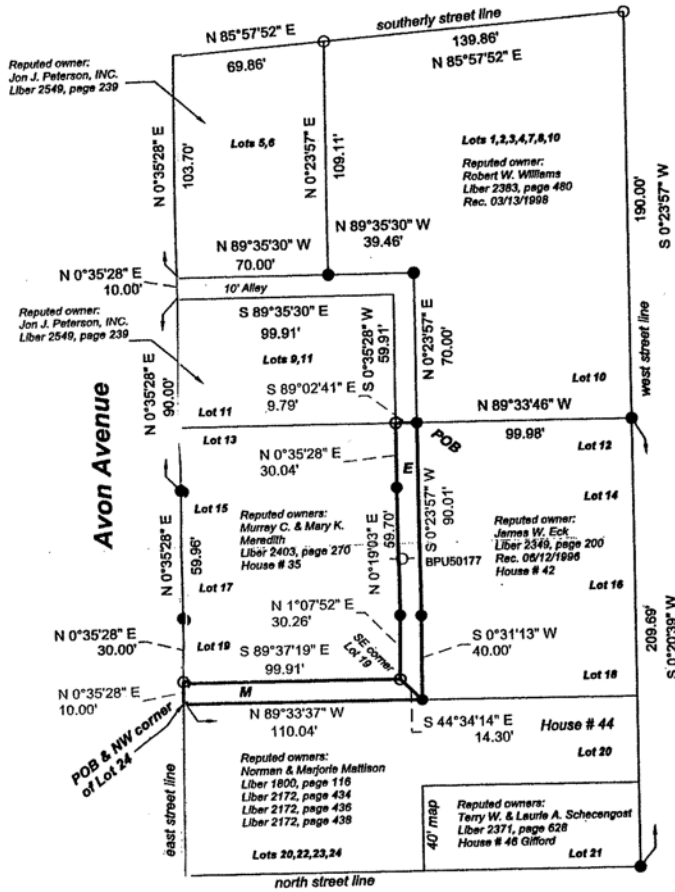
Note: Lot numbers refer to lot numbers, Block B, Map of East Celoron, filed in Cabinet 1, Section B, Map No. 77, on December 12, 1895



Astronomic from Solar Observations



Boulevard Street



LEGEND

- found iron stake or rebar
 - set 3/4" x 30" rebar with cap
- Unopened or "Paper" alleys to be conveyed by the Village of Celoron
- E** To be conveyed by the Village of Celoron to James W. Eck
- M** To be conveyed by the Village of Celoron to Norman & Marjorie Mattison



Note: the date shown on this plat is the date of the completion of the field survey work. This map is void if used with an affidavit of no change. This survey was prepared without the benefit of an abstract of title. Reproduction or copying of this document may be a violation of copyright law unless permission of the author and/or copyright holder is obtained.

Plat of a survey for

**Norman & Marjorie Mattison
James W. Eck**

Avon Avenue & Gifford Avenue
East Duquesne Street, Village of Celoron
County of Chautauqua, State of New York
Part of Lot 58, Town 2, Range 11 of the
Holland Land Company's Survey

Daniel L. Barry Land Surveyor LLC

Licensed in New York and Pennsylvania
1959 Big Tree Road
Lakewood, NY 14750-9759
Phone: 716-763-1254
Facsimile: 716-763-0915

Dated: October 6, 2006 Job No. 2959-06

Daniel L. Barry

Only copies from the original of this survey, marked with an original of an embossed seal, and signed in red, shall be considered to be true, valid copies. Copyright 2006 Daniel L. Barry Land Surveyor LLC. All rights reserved.

December 12, 2011

Resolution #8 – 2011-12

RESOLVED, That Games of Chance, Bell Jar, Licenses for 2012 be issued to the following organizations:

Lakewood Loyal Order of Moose, #2587
Celoron Hose Company No. 1, Inc.

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

Carried: 4 ayes

Resolution #9 – 2011-12

WHEREAS, the Herman Kent Post 777 of the American Legion has applied to sponsor the display of The Moving Wall, a reproduction of the Vietnam War Memorial in Washington D.C., and

WHEREAS, the Herman Kent Post 777 of the American Legion would like to display The Moving Wall in Lucille Ball Memorial Park near the Veteran's Memorial, and

WHEREAS, The Moving Wall will be set up and displayed from July 17 through July 23, 2012, and

WHEREAS, the Village of Celoron wishes to provide a venue to display The Moving Wall in Lucille Ball Memorial Park, and

WHEREAS, the Herman Kent Post 777 of the American Legion shall be required to provide a Certificate of Insurance holding the Village of Celoron harmless and naming the Village as an additional insured now, therefore be it

RESOLVED, That the Board of Trustees of the Village of Celoron, New York hereby authorizes the use of Lucille Ball Memorial Park for the set up and display of The Moving Wall from July 17 through July 23, 2012.

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

Carried: 4 ayes

OPPORTUNITY FOR PUBLIC COMMENT:

None

MAYOR'S COMMENTS:

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

Carried: 4 ayes

The meeting was adjourned at 7:20 p.m.

Shirley A. Sanfilippo, MMC
Village Clerk-Treasurer