

September 11, 2017

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, September 11, 2017 at 6:00 P.M.

Members Present: Mayor Schrecengost, Trustees Keeney, Moss, Young and Shanahan

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:

Mayor Schrecengost recognized the 16th anniversary of the September 11th attack on the World Trade Center in New York City.

Trustee Paul Shanahan gave the following remarks: "As we are all painfully aware, today marks the 16th anniversary of 9/11, a day in which one of the most horrific and barbaric attacks on our country took place, a day like Pearl Harbor which will live in infamy, and yet a day even more so, for unlike that conflict which was a military one in a time of war, 9/11 consisted of indiscriminate and intentional attacks upon civilians. These attacks arose out of a radical ideology with an evil intention to destroy the west, along with our values, our prosperity, and our freedoms, as well an intention to either subjugate the non-Islamic world or conquer it, which includes all of our friends and allies around the world. This threat to the world and our very existence has been around since the 7th century, and it is a monster that periodically sleeps throughout the ages, yet awakes from time to time wreaking havoc, and with a long view, and a deliberate, methodical, and patient agenda we sometimes fail to recognize. Now in today's day and age where it has been rabid in its awakening once again, and with new technologies and smaller world, radical Islamic terror is a modern threat like no other, and yet still as barbaric as it was centuries ago.

To this end we are reminded of the words of a great man from our nation's beginnings who once said "the price of liberty is eternal vigilance". As we consider this threat and our daily security as well as our nation's future, indeed we must be vigilant, and this invokes a theme that I have recognized since the first anniversary of 911, "always remember and never forget"!

There are so many lessons learned from that awful day; the loss of lives, the destruction, the response, the rebuilding, the heroes that arose that day, all that has transpired since, and the simple fact that this age old battle of good vs evil rages on, and yes 9/11 could happen again; and so we must take those lessons to heart, and must be prepared and engaged, and support all efforts, no matter how difficult, to stop this scourge upon the world; for to that end and for our future generations, we cannot falter and we cannot fail!

Many, of course, are speaking of 9/11 today, from our President to other national leaders, but it is also important that it is spoken of at even the smallest of levels such as ours, at the very grassroots of our nation, because just like our community that was directly affected with the loss of Amy King that day, or the loss of JC Matteson in the aftermath that followed, so too were so many other communities affected similarly, and every community throughout our land has a stake in all of this.

In closing we will continue to offer our prayers for all the families who have suffered, that all those lost rest in peace, and that our nation can continue to rally and set aside differences when it comes to

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confronting this ongoing threat, as it once did; so that we may stand resolute against it, and persevere, and ultimately prevail.

Thank you for listening, and may our Creator continue to Bless us with American freedom, liberty, and justice for all."

OPPORTUNITY FOR PUBLIC COMMENT:

APPROVAL OF MINUTES:

Trustee Keeney motioned, seconded by Trustee Young to approve the minutes of the Regular Meeting of August 14, 2017.

Carried: 5 ayes

COMMITTEE REPORTS

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

ANIMAL CONTROL – Trustee Young – none

PARKS – Trustee Young and the Board discussed the status of the concession stand repairs. Trustee Young had not contacted someone from the Southwestern baseball association to see if there is any interest on their part to assist with the needed repairs.

Mayor Schrecengost stated that he had requested estimates to paint the lighthouse and presented one estimate that had been received. The Board discussed possible alternatives to painting the lighthouse.

The Board reviewed a notification from The Resource Center of their upcoming Step Up for Autism Event on September 30, 2017. Trustee Moss stated that the Celoron General Store would donate 15 cases of water for the event. Trustee Keeney will be available to distribute the water to the participants.

HIGHWAY AND EQUIPMENT – Trustee Moss and the Board discussed the date for Fall Clean-up.

Trustee Moss moved, seconded by Trustee Shanahan to set October 14, 2017 from 9:00 am to 3:00 pm as Fall Clean-Up Day.

Carried: 5 ayes

PLANNING – Trustee Shanahan – none

SANITATION – Trustee Moss – none

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. NYS Retirement System estimate which was under the amount budgeted
2. Mayors and Supervisors meeting will be September 28, 2017 at the Seezuhr House
3. NYCOM correspondence on SALT

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FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo asked for approval of Abstract #6 in the amount of \$10,501.78, check #3432 thru 3440, dated August 15-31, 2017; Abstract #7 in the amount of \$17,415.89, check #3441 thru 3454, dated September 1-11, 2017; and Trust & Agency Abstract #3 in the amount of \$6,697.27, Check #5160 thru 5164, dated August 31, 2017.

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

Carried: 5 ayes

The Board discussed Paid Family Leave Coverage for Village employees, which is optional for municipalities.

Trustee Keeney moved, seconded by Trustee Shanahan not to participate in the Paid Family Leave Coverage for Village employees.

Carried: 5 ayes

AUDIT – Trustee Moss – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Moss – none

RECREATION – Trustee Keeney – none

SPECIAL EVENTS – Trustee Keeney and the Board discussed the hours for Trick or Treating on Halloween.

Trustee Keeney moved, seconded by Trustee Young to set the Halloween Trick or Treating hours in the Village of Celoron for October 31, 2017 from 6:00 pm to 8:00 pm.

Carried: 5 ayes

The Board discussed the Holiday Dinner for seniors living alone. The decision was made not to hold the dinner due to the decline in attendance.

The Board discussed a date for the Children's Christmas Party.

Trustee Young moved, seconded by Trustee Keeney to set the date of December 6, 2017 at 6:00 pm, subject to the availability of The Resource Center facilities.

Carried: 5 ayes

ZONING – Trustee Shanahan advised that the petition for an area variance on Livingston Avenue had been denied by the Zoning Board of Appeals at their last meeting. The shed and carport variances had been granted.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Resolution #34 - 2016-17

RESOLVED, That the Mayor be and he hereby is authorized to execute a contract with the New York State Department of State for Contract #C1000928 Lucille Ball Memorial Park Improvements – Phase II Construction with a total project cost of \$708,440.00 consisting of State Funds in the amount of \$354,220.00 and Local Match of \$354,220.00.

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

Carried: 5 ayes

Resolution #35 - 2016-17

RESOLVED, That the Mayor and Deputy Mayor be and they hereby are authorized to execute a grant agreement with the Dormitory Authority State of New York in the amount of \$75,000 (seventy-five thousand dollars and no cents) for the purpose of a waterline extension in the Village of Celoron, New York. Said waterline extension shall be on Butler Avenue from E. 5th Street to E. 10th Street and a dead end branch on E. 7th Street from Butler Avenue to house #12 E. 7th Street; and be it further

RESOLVED, That the Board of Trustees of the Village of Celoron does hereby commit to providing funding for the balance of any funds necessary to complete the project.

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

Carried: 5 ayes

Resolution #36 - 2016-17

WHEREAS, the Chautauqua County Office of Emergency Services, with the assistance from Ecology and Environment Inc., has gathered information and prepared the Chautauqua County Multi-Jurisdictional All-Hazard Mitigation Plan; and

WHEREAS, the Chautauqua County Multi-Jurisdictional All-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Celoron has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

Now, therefore, be it

RESOLVED, That the Chautauqua County Multi-Jurisdictional All-Hazard Mitigation Plan be and hereby is adopted as the Village of Celoron, New York's Natural Hazard Mitigation Plan.

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

Carried: 5 ayes

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Resolution #37 – 2016-17

WHEREAS, the Village of Celoron Board of Trustees (Board of Trustees) duly adopted the "NYS Fire Prevention and Building Construction" code to provide minimum requirements to safeguard the public safety; and

WHEREAS, the Celoron Code Enforcement Officer administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the Village Code; and

WHEREAS, the Village of Celoron requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

WHEREAS, the New York State Uniform Fire Prevention and Building Code regulates the design, construction installation, alteration and repair of equipment and systems using solar systems; and

WHEREAS, the New York State Energy Research and Development Authority has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

WHEREAS, the Board of Trustees desires to promote the streamlining of the application process for small-scale photovoltaic system installations by adopting the New York State Unified Solar Permit application form and implementing the new procedures; now, therefore be it

RESOLVED, That Board of Trustees hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and be it further

RESOLVED, That the Village of Celoron Code Enforcement Officer be and hereby is directed to use said New York State Unified Solar Permit Application for and procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and be it further

RESOLVED, That any further actions required of the Village of Celoron to effect the foregoing are hereby authorized and the Mayor is hereby authorized to execute and deliver any instruments, documents of the like as required to effect the same.

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

Carried: 5 ayes

Resolution #38 – 2016-17

WHEREAS, pursuant to Section 98-1 Fees, of the Code of the Village of Celoron the Board of Trustees has reviewed the established fee schedule, and

WHEREAS, pursuant to Section 98-1.A. the fee schedule may be amended from time to time by like resolution,

Now, therefore be it

RESOLVED, That Section 98-1.F. be amended to read as follows:

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Peddling and soliciting: \$50 plus \$10 per day, not to exceed \$500 per calendar year
and be if further,

RESOLVED, That Section 98-1 Fees of the Code of the Village of Celoron be and hereby is amended to add thereto:

Unified Solar Energy Permit	\$75.00
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Trustee Shanahan moved, seconded by Trustee Moss to approve the resolution.

Carried: 5 ayes

RESOLUTION #39 – 2016-17

WHEREAS Congress is giving serious consideration to eliminating the federal income tax deduction for state and local taxes;

WHEREAS this deduction, which has been in place for more than 100 years, is heavily utilized by residents of our community and our State;

WHEREAS New York residents already pay more into the federal treasury than the federal government returns to New York;

WHEREAS the state and local tax deduction is a fundamental principle of federalism and without it our residents would be faced with double taxation as they would be forced to pay federal income taxes on the taxes they pay to state and local governments;

WHEREAS this federal cost shift onto local governments would place extreme pressure on municipal budgets, including diminished revenue for essential local government investments, including public safety and public infrastructure; and

WHEREAS increased federal taxation and reduced municipal services will harm our local housing market, decrease home values and erode our local tax base,

NOW THEREFORE BE IT

RESOLVED, That the Village of Celoron, New York expresses its strong opposition to any tax reform proposal that would eliminate the State and Local Tax (SALT) Deduction and urges Representative Thomas Reed to join us in publicly opposing any such proposal.

Trustee Shanahan stated that he was supporting this resolution with a lot of trepidation. He said that in one sense he would like to see this happen because New York State has one of the highest taxes in the country. With the deduction for state and local taxes being permitted for federal income taxes, there is no incentive to reduce the taxes in New York State. He felt that this was a catch 22. He further stated that New York was a donor state, that is, it pays more in federal taxes than it receives. He felt that it would be devastating for New York taxpayers, if the deduction was eliminated and nothing was done to reduce the state and local tax burden.

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

Carried: 5 ayes

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MAYOR'S COMMENTS:

None

OPPORTUNITY FOR PUBLIC COMMENT:

None

Trustee Shanahan motioned to adjourn the meeting. Trustee Young seconded the motion.

Carried: 5 ayes

The meeting was adjourned at 6:52 p.m.

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