

February 22, 2011

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Village Hall

ss:

The special meeting of the Board of Trustees of the Village of Celoron, New York was held on Tuesday, February 22, 2011 at 5:00 P.M.

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

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, Deputy Clerk Jetta L. Wilson and Katie Cummings of Cable 8 News.

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 read and accepted with regret Assemblyman Andrew W. Goodell's resignation as Village Attorney.

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:

John D. Vanstrom
395 E. Fairmount Ave.
P.O. Box 75
Lakewood, New York 14750

to be appointed Village Attorney in and for the Village of Celoron, New York. The term for which said appointment is to be made will expire on December 31, 2011. (To fill the unexpired term of Andrew W. Goodell, resigned.)

Dated: February 22, 2011

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

Trustee Mattison moved, seconded by Trustee Young to approve the appointment.

Carried: 5 ayes

OPPORTUNITY FOR PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Trustee Mattison motioned, seconded by Trustee Schrecengost to approve the minutes of the Regular Meeting of February 14, 2011.

Carried: 5 ayes

COMMITTEE REPORTS

PUBLIC SAFETY – Trustee Kogut – none

ANIMAL CONTROL – Trustee Schrecengost – none

PARKS & RECREATION – Trustee Young – none

HIGHWAY AND EQUIPMENT – Trustee Mattison advised that the bill for repairs to one of the trucks was \$2,082.45.

ZONING & PLANNING – Trustee Schrecengost – none

SANITATION – Trustee Mattison – none

BUSINESS – Trustee Kogut – none

CORRESPONDENCE – Clerk Sanfilippo reviewed the following correspondence:

1. Message from Governor Cuomo.
2. February Meeting Notice for February 24, 2011 meeting of the Chautauqua County Conference of Mayors.

FINANCE – Entire Board/Clerk

Clerk-Treasurer Sanfilippo advised the board of the need to approve payment of \$10,000.00 in principal and \$1,487.29 in interest on the Bond Anticipation Note dated March 1, 2010 for the purchase of the garbage truck.

Trustee Schrecengost moved, seconded by Trustee Young to approve payment of the principal and interest on the Bond Anticipation Note.

Carried: 5 ayes

AUDIT – Trustee Mattison had no report.

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

SPECIAL EVENTS – Trustee Mattison – none

OLD BUSINESS

None

NEW BUSINESS

none

RESOLUTIONS

Resolution #25 – 2010-11

RESOLVED, That Five Star Bank, be and hereby is designated as the depository of the Village of Celoron and that they be and hereby are requested, authorized and directed to honor checks, drafts, or other orders for payment of money drawn in the Village's name, including those payable to the individual order of any person or persons whose name or names appear thereon as a signer or signore thereof, when bearing or purporting to bear the facsimile signatures of any two (2) of the following: the Mayor; Deputy Mayor; Clerk-Treasurer or Deputy Treasurer and the above mentioned banks shall be entitled to honor and charge this village for such checks, drafts or other orders, regardless of by whom or by what means the actual or purposed facsimile signatures or signature thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with the above mentioned banks by the Clerk-Treasurer of the Village of Celoron, and be it further

RESOLVED, That all transfer of funds from one account to another shall be done in writing, signed by two of the aforementioned designated signers.

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

Carried: 5 ayes

Resolution #26 - 2010-11

BOND RESOLUTION DATED FEBRUARY 22, 2011 AUTHORIZING THE ISSUANCE AND SALE OF \$ 40,000.00 SERIAL BONDS OF THE VILLAGE OF CELORON, CHAUTAUQUA COUNTY, NEW YORK TO PAY FOR PURCHASE OF A 2002 INTERNATIONAL MODEL 4400 6X4 TANDEM AXLE TRUCK.

BE IT RESOLVED, this 22nd day of February, 2011 by the Board of Trustees of the Village of Celoron, Chautauqua County, New York, as follows:

Section 1. For the object or purpose of authorizing the funds to defray the costs thereof for the purchase of a 2002 International Model 4400 6X4 Axle Truck in the amount of FORTY THOUSAND DOLLARS (\$40,000.00) to be the terms, forms, and contents, hereinafter provided for, shall be issued pursuant to the provisions of the Local Finance Law of the State of New York. Said purchase of Capital Improvements should be paid from the annual budget of that year.

Section 2. The plan for financing that object or purpose consists of the issuance of FORTY THOUSAND DOLLARS (\$40,000.00) Serial Bonds of the Village of Celoron in the principal sum of, to be applied to the maximum estimated cost of such object or purpose.

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Section 3. It is hereby determined that the object or purpose of which said Serial Bonds are to be issued falls within Subparagraph "23" of Section 28 of the Local Finance Law and the period of probable usefulness of such object or purpose is FIVE (5) years.

Section 4. The proposed maturity of the Serial Bonds hereby authorized will not be in excess of FIVE (5) years.

Section 5. Full faith and credit of the Village of Celoron are hereby pledged to payment of principal of those bonds and interest thereon when due.

Section 6. The bonds shall not be issued in the event that the interest rate therefore exceeds TWELVE PERCENT (12%) per annum.

Section 7. The Treasurer of the Village of Celoron is hereby authorized and directed to sell bonds at a private sale in accordance with the provisions of Local Finance Law, Section 63.

**BOND ANTICIPATION NOTE CERTIFICATE OF THE TREASURER
OF THE VILLAGE OF CELORON, COUNTY OF CHAUTAUQUA, STATE OF NEW YORK
AUTHORIZING THE ISSUANCE OF \$ 40,000.00 BOND ANTICIPATION TO PAY THE
COST
FOR A 2002 INTERNATIONAL MODEL 4400 6X4 TANDEM AXLE TRUCK**

I, SHIRLEY A. SANFILIPPO, Treasurer of the Village of Celoron, Chautauqua County, New York, do hereby certify as follows:

(1) At a meeting of the Village Board of the Village of Celoron held on the 22nd day of February, 2011 at the Village Hall, 21 Boulevard Avenue, Celoron, New York, the Village Board granted to the Treasurer, pursuant to Local Law, Section 30.00, the power to authorize the issuance of a bond anticipation note in the sum of at least FORTY THOUSAND DOLLARS AND NO CENTS (\$40,000.00) such sum to be applied to the 2002 International Model 4400 6X4 Tandem Axle Truck. Such authority is still in full force and effect, and has not been modified, amended or revoked.

(2) In accordance with such authorization and pursuant to the provisions of the Local Finance Law, Section 23.00, I have authorized the issuance of FORTY THOUSAND DOLLARS AND NO CENTS (\$40,000.00) in a single issue Bond Anticipation Note, and prescribed the terms, contents and forms thereof.

(3) The issuance of the Bond Anticipation Note is for a purpose, payment of the cost of a 2002 International Model 4400 6X4 Tandem Axle Truck as described in Local Finance Law, Section 11.00.

(4) The resolution adopted by the Village Board of the Village of Celoron authorizes the issuance of Serial Bonds for the payment of the purchase price of a 2002 International Model 4400 6X4 Tandem Axle Truck in anticipation of the sale of which this Bond Anticipation Note is to be issued. No Bond Anticipation Note has heretofore been issued in anticipation of the bond authorized as shown in said resolution or for any other purchase. The Bond Anticipation Note to be issued pursuant to this is certified as follows:

<u>DATE OF ISSUE</u>	<u>DATE OF MATURITY</u>	<u>INTEREST</u>	<u>AMOUNT</u>
March 1, 2011	March 1, 2012	2.05%	\$40,000.00

Dated: February 24, 2011

Shirley A. Sanfilippo, Treasurer

February 22, 2011

**COUNTY OF CHAUTAUQUA, VILLAGE OF CELORON
UNITED STATES OF AMERICA, STATE OF NEW YORK
BOND ANTICIPATION NOTE 2011
\$ 40,000.00**

The Village of Celoron, in the County of Chautauqua, a municipality in the State of New York, herein called Obligor, hereby acknowledges itself indebted and for value received promises to pay the bearer of this Note in the sum of FORTY THOUSAND DOLLARS (\$40,000.00) on the 1st day of March, 2012, together with interest thereon from March 1, 2011 at the rate of 2.05% annum payable at maturity. Both the principal of and interest on this Note will be paid in lawful money of the United States of America at Five Star Bank, 284 East Fairmount Avenue, Lakewood, New York.

This note may not be redeemed prior to maturity.

This note is a single issue of the total sum of FORTY THOUSAND DOLLARS (\$40,000.00) authorized pursuant to proceedings adopted by the Village Board of the Village of Celoron on the 22nd day of February 2011 and pursuant to BOND ANTICIPATION OF THE TREASURER OF THE VILLAGE OF CELORON, COUNTY OF CHAUTAUQUA, STATE OF NEW YORK, AUTHORIZING THE ISSUANCE OF \$40,000.00 BOND ANTICIPATION NOTE TO PAY THE COST OF A 2002 INTERNATIONAL MODEL 4400 6X4 TANDEM AXLE TRUCK.

The full faith and credit of the Obligor are hereby irrevocably pledged for the punctual payment of the principal of and interest of this according to its terms.

It is certified and recited that all conditions, acts, and things required by the Constitution and Statues of the State of New York, due exist, to have happened and to have been performed precedent to and in the issuance of this Note, exist, have happened and have been performed, and this Note together with all indebtedness of the Obligor within every debt and other limit described by the Constitution and Laws of the State of New York.

IN WITNESS WHEREOF, The Obligor, in accordance with the proceedings authorized in this Note, has caused this Note to be signed and its corporate seal to be affixed hereto and attested as appears below and this Note to be dated as of March 1, 2011.

VILLAGE OF CELORON
CHAUTAUQUA COUNTY, NY

BY: Shirley A. Sanfilippo, Treasurer

ATTEST: John M. Keeney, Mayor

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

Carried: 5 ayes

OPPORTUNITY FOR PUBLIC COMMENT:

none

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

Carried: 5 ayes

The meeting was adjourned at 5:10 p.m.

Shirley A. Sanfilippo, MMC
Village Clerk-Treasurer