

September 14, 2009

Board of Trustees

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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 14, 2009 at 7:00 P.M.

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

Members Absent: Trustee Young

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC, Highway Supervisor Terry Schrecengost, 14 members 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 welcomed all to the meeting and thanked them for their participation. It is the Board of Trustees' goal to increase participation in government. He advised that the Village had placed flowers at the Amy King Memorial on Friday, September 11, 2009, in a private ceremony with her family. A grant request has been submitted for the Local Waterfront Improvement Program. It was available for anyone to review after the meeting. An advisory committee is being formed and he asked for volunteers to serve on the committee. He stated that the Celoron Corps needs volunteers to help. A Conservative Primary will be held tomorrow. An extra voting machine will be available at the polling site (Fire Hall) so that people can practice using it.

**OPPORTUNITY FOR PUBLIC COMMENT:**

Stan Anderson, 59 W. Livingston Avenue questioned whether there was going to be an audit.

Mayor Keeney replied that he anticipated they would be here.

**MAYOR'S APPOINTMENTS:**

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:

Kevin Kelsey  
71 Jackson Avenue, P.O. Box 333  
Celoron, New York 14720-0333

to be appointed a member of the Zoning Board of Appeals in and for the Village of Celoron, New York. (To fill the unexpired term of Trevor Hallenbeck, who failed to qualify.)

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The term for which said appointment is to be made will expire on April 1, 2013.

Dated: September 14, 2009

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

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

Carried: 4 ayes

**APPROVAL OF MINUTES:**

Trustee Schrecengost motioned, seconded by Trustee Mattison to approve the minutes of the Public Hearing and Special Meeting of August 24, 2009.

Carried: 4 ayes

**APPROVAL OF AUDITED BILLS:**

Trustee Kogut moved, seconded by Trustee Mattison to approve payment of all audited bills.

Carried: 4 ayes

**COMMITTEE REPORTS**

PUBLIC SAFETY – Trustee Kogut reported that Code Enforcement Officer LaRose is finding more violations at Ellicott Shores. At the present time she and the Village Attorney are in Court.

ANIMAL CONTROL – Trustee Schrecengost stated that the dog calls are quiet. There are still issues with cats that we can't legally do anything about.

PARKS & RECREATION – In Trustee Young's absence, Mayor Keeney advised that the community picnic was a success with a good time being had by all. It will be bigger next year.

HIGHWAY AND EQUIPMENT – Highway Supervisor Schrecengost reported that they had installed 1,000 feet of pipe on Burtis Street and Lake Street. 425 feet of sidewalk is being installed on the east side of Lake Street from Dunham to Conewango.

ZONING & PLANNING – Trustee Schrecengost said that they are trying to update the Village Code Book, as only two of the books appear to be 90% correct. He thanked all who have complied to try and clean up the Village and encouraged them to keep up the good work. The Zoning Map in the Village Hall has been updated.

SANITATION – Trustee Mattison stated that he is typing up a request for proposals to seek quotes for garbage collection. He would like to keep the part-time temporary laborer position through December.

Trustee Mattison moved, seconded by Trustee Kogut to keep the part-time temporary laborer position through December.

Carried: 4 ayes

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BUSINESS – Trustee Kogut – none

CORRESPONDENCE – Mayor Keeney/Clerk – Clerk Sanfilippo reviewed the following correspondence:

1. Notice of the regular meeting of the Town of Ellicott Planning Board on September 16, 2009 at 6:00 p.m.
2. Notice of the Revitalizing NY statewide Summit on sustainable development on October 7, 2009 in Schenectady, New York.
3. Notice of NYSERDA programs.
4. Notice of a Controlling the Local Tax Burden – A Dialogue program to be held on October 28, 2009 at the Robert H. Jackson Center.
5. Notification from Time Warner Cable of possible network changes and the movement of networks from standard to digital channels.
6. Notification of a Designing Better Rural Communities workshop on September 29, 2009.
7. Notification of the NYCOM Public Works Training School on October 19-22, 2009 in Canandaigua, New York.
8. Notification of a seminar on September 23, 2009 at Jamestown Community College featuring the Insurance Services Office Public Protection Classification Program.
9. A letter from the State of New York Department of Public Service asking for assistance in increasing awareness and enrollment in the Lifeline and Link Up programs.
10. A letter from Donna Vanstrom, Executive Director of Family Service of the Chautauqua Region, Inc. thanking the Village for use of the Community Center.
11. Meeting notice for the September meeting of the Chautauqua County Conference of Mayors.

FINANCE – Entire Board/Clerk

The Clerk asked for approval of Abstract #6 in the amount of \$26,373.73 and Trust and Agency Abstract #3 in the amount of \$23,325.42.

Motion to approve by Trustee Schrecengost, seconded by Trustee Kogut.

Carried: 4 ayes

AUDIT – Trustee Mattison – none

INSURANCE – Trustee Young – none

BUILDING – Trustee Young – none

SPECIAL EVENTS – Trustee Mattison – none

### **OLD BUSINESS:**

### **LONG-TERM AND SHORT TERM GOALS**

Mayor Keeney advised that a work session needed to be set to prioritize short-term and long-term goals. Wednesday, September 16, 2009, at 6:00 p.m. in the Community Center will be the date.

The Board discussed the letter received requesting that a street be named for Harold Lind. No action was taken.

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Mayor Keeney reminded everyone of fall clean-up day on Saturday, October 17, 2009 from 9:00 a.m. to 3:00 p.m. Highway Supervisor Schrecengost advised that leaves should be raked to the edge of the street. He also asked that branches be kept separate from the leaves.

**NEW BUSINESS:**

Mayor Keeney told those present of the partnership that is being formed with Southwestern Central School and the Village of Celoron to reach out to Celoron high school students. A picnic will be held in Lucille Ball Park on September 30, 2009 for students and their parents with school representatives. He will be personally calling all the families in the Village to invite them. An open house will be held later that night at the school.

**HALLOWEEN HOURS**

Halloween Hours were set for 5:00 p.m. to 8:00 p.m. on October 31, 2009.

**CHRISTMAS CELEBRATION**

Mayor Keeney asked for committee members for a Christmas celebration. He suggested some possible options.

**TELEPHONE LINES**

The Board reviewed a memo (attached at the end of the minutes) from Deputy Clerk Wilson regarding the phone lines in Village Hall.

Trustee Mattison moved, seconded by Trustee Schrecengost to eliminate the 665-4982 line.

Carried: 4 ayes

**COPIER UPGRADE**

The Board reviewed a proposal to upgrade the existing copier in order to allow for high speed faxing; printing, at a lower cost than the desktop printers; and scanning.

Trustee Mattison moved, seconded by Trustee Schrecengost to purchase the upgrade to the copier at a cost of \$445.00 to include installation and training of staff.

Carried: 4 ayes

**RESOLUTIONS**

**Resolution #26 – 2009-10**

RESOLVED, That the Clerk Treasurer be and she hereby is authorized to make the following amendments to the 2009-2010 Budget:

INCREASE:	Account A7550.4, Celebrations	\$1,500.00
	Account A8684.4, Planning and Management Development	\$1,100.00
DECREASE:	Account A1990.4, Contingency	\$2,600.00

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

Carried: 4 ayes

### **Resolution #27 – 2009-10**

RESOLVED, That Section 14.D. of the Facility Use Requirements be and hereby is amended to read as follows:

D. Required insurance:

1. Insurance requirement for groups:

COMMERCIAL GENERAL LIABILITY INSURANCE  
\$1,000,000 Per Occurrence/\$2,000,000 Aggregate.

2. Insurance requirement for individuals:

PERSONAL LIABILITY INSURANCE  
\$100,000 Per Occurrence/\$200,000 Aggregate.

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

Carried: 4 ayes

### **Resolution # 28 -2009-10**

WHEREAS, the Village of Celoron currently holds elections every year on the third Tuesday of March for Village Trustees and the every other year for the Village Mayor, and

WHEREAS, the Village of Celoron can save the cost of these elections by holding Village elections on the first Tuesday after the first Monday in November, the same date as general elections, and

WHEREAS, holding Village elections on the same date as general elections may result in a strong turn-out, particularly during Presidential years or other major elections, and

WHEREAS, pursuant to Section 15-104 of the New York State Election Law, the Village Board of Trustees may, by resolution subject to permissive referendum, change the date of Village elections from the third Tuesday in March to the first Tuesday in November, to correspond to general elections, it is therefore

RESOLVED, That the elections for Village Trustee and Village Mayor shall be held on the first Tuesday after the first Monday in November, the same day of the general election, starting in the year 2010, and the primary elections, if any, shall be held on the same day as the primary elections for the general election, and it is further,

RESOLVED, That the term of any village officer whose term would otherwise expire shall be extended until the beginning of the new term of office for such officer following the general election in 2010, and it is further,

RESOLVED, That the official year for the Village of Celoron shall commence on the first Monday in December following the general election, and it is further,

RESOLVED, That this resolution shall be subject to a permissive referendum pursuant to Article 9 of the New York State Village Law upon submission of properly executed petition(s) containing at least 100 signatures (200 signatures if the petition requests a referendum at some time other than a general or special Village Election), and it is further

RESOLVED, That this resolution shall not take effect until thirty (30) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the Village of Celoron voting on such proposition for its approval if within thirty (30) days after its adoption there be filed with the Village Clerk a petition signed and acknowledged by an appropriate number of electors.

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

Carried: 4 ayes

**Resolution # 29 -2009-10**

WHEREAS, the community of the Village of Celoron was a participant in the Chautauqua Lake Waterfront Program Plan developed with funding from the New York State Department of State Division of Coastal Resources; and

WHEREAS, the community of the Village of Celoron supports implementation of the goals and projects included in the Chautauqua Lake LWRP Plan; and

WHEREAS, the community of the Village of Celoron continues to identify revitalization opportunities and wishes to advance these goals and objectives; and

WHEREAS, a notice of funding availability for Environmental Protection Fund grant monies for these purposes has been made by the Department of State Division of Coastal Resources; and

WHEREAS, the Village of Celoron will submit an application for 2009 grant monies for a project called *Visioning and development of a local Waterfront Revitalization Program*; now therefore be it,

RESOLVED, That the Village of Celoron hereby supports the Village of Celoron's application for 2009-2010 Local Waterfront Revitalization grant funding and will join in partnership in the planning and visioning activities identified in the application.

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

Carried: 4 ayes

**OPPORTUNITY FOR PUBLIC COMMENT:**

Brian Malta asked if the corrections to the code book were not being kept up by the prior administration.

Mayor Keeney replied that his administration found the errors in the code books and were going to ensure that all code books were up to date.

Mr. Malta stated that it appeared this administration was bringing the Village office up to date with the upgrades to the phone system, copier etc. He felt that these things should have been done in the past. He said that it was wonderful that the office was being brought up to date. He also spoke in favor of changing the Village Election Day to November. He asked if the elected officials would still take office in April.

Village Clerk-Treasure Sanfilippo replied that the officials would take office on the first Monday in December; however, the fiscal year would remain the same.

Paul Shanahan, Maple Street also spoke in favor the moving the village election to November. He felt that this would save the Village at least \$800.00 because there would be no charge to the Village for running the election in November.

Mayor Keeney stated that the Village Election will never again be run locally. It will be conducted, as it should be, by the County Board of Elections.

Mr. Shanahan asked about extending the sidewalk on Dunham Avenue up to Fairmount Avenue as a part of the LWRP.

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Trustee Mattison advised that the Town of Ellicott does want to do sidewalks and the part of Dunham without a sidewalk is outside the Village.

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

Carried: 4 ayes

The meeting was adjourned at 7:50 p.m.

Shirley A. Sanfilippo, MMC  
Village Clerk-Treasurer