

**Village Board Meeting Minutes  
December 4, 2018**

**The Village of Caledonia Board of Trustees held a meeting on Tuesday, December 4, 2018 at 6:30 p.m. at the Village Office.**

**Members Present:** Mayor Scott DiLiberto, Deputy-Mayor Jerry O'Donoghue, Trustee Greg Boilard, Marge Byrnes and Janet Cappotelli. Also present was Water & Street Superintendent Chris Buckley, Code Enforcement Officer Michael Burnside & MacKay Park Supervisor Barry Ganzhorn.

Clerk-Treasurer Ann Marie Grattan read the legal notice regarding the Public Hearing for Local Law #4 – 2018, amending Chapter 202 of the Village Code to provide for weight limits to §39 Schedule XIV “Truck Exclusions”. A **motion** was made by Trustee Byrnes to open the Public Hearing; Deputy-Mayor O'Donoghue seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor Jerry O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

Mayor DiLiberto detailed the amendment to Chapter 202 which puts a 4 ton weight limits on Mill and Spring Street.

A **motion** was made by Trustee Boilard to approve the November 6, 2018 Board Meeting Minutes; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

**Bills were audited and ordered paid:**

Abstract #429, Water \$16,649.14

Abstract #308, T&A \$40.00

Abstract #603, General \$2,113.06 & Water \$475.18

Abstract #604, General \$118,851.66 & Water \$555.86

A **motion** was made by Deputy-Mayor O'Donoghue to approve the bills paid; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

A **motion** was made by Deputy-Mayor O'Donoghue to approve the following Budget Transfer A1440.400 Engineering \$640 from A8540.400 Drainage; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

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A **motion** was made by Deputy-Mayor O'Donoghue to approve the following Budget Amendments; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

A2260 Public Safety \$2,273.23 & A3120.130 P/T Police Personnel  
A1325.100 C/T Personnel \$1750.00 & A9060.800 Health Insurance  
A3120.110 Police Personnel \$2,500 & A9060.800 Health Insurance  
A3120.120 Police Personnel \$2,500 & A9060.800 Health Insurance  
A5010.100 Street Personnel \$1,250 & A9060.800 Health Insurance  
A5110.100 Street Personnel \$3,500 & A9060.800 Health Insurance  
F8310.100 Water Personnel \$750 & F9060.800 Health Insurance  
F8340.100 T&D Personnel \$2,750 & F9060.800 Health Insurance

**Alan Garrett** – discussed Tree City USA which is a nationwide movement that provides the framework for communities to manage and expand their trees. There are four standards to become eligible. 1) form a tree board 2) tree care ordinance 3) a community forestry program with an annual budget of at least \$2 per capita and 4) An Arbor Day proclamation and observance. The celebration is always held the last Saturday in April. The next one is April 27, 2019. Alan suggested a Focus Group be created. Trustee Cappotelli will work with Alan on the community event.

**Mayor DiLiberto** – discussed the Urban Forestry Grants awarded statewide. Numerous surrounding communities received funding: Village of Scottsville \$22,500, Town of Geneseo \$21,124, Village of Avon \$68,500. The grant does not require matching funding. Mayor DiLiberto would like to apply to the program the next time offered.

**Barry Ganzhorn presented the Matthews Trail – MacKay Park November Report.** Annual donations were made to the Big Springs Museum and Caledonia Library. \$20 goes to each every December from the MacKay Park account. Barry detailed a suggestion to the theft of signs at the MacKay Park. Plexiglas cut into small pieces, each numbered, will be attached to trees. At the entrance of the trail, informational packets will be available. As visitors tour the trail, they will use the informational packet to detail each sign they come upon. The board was in favor of it and permitted Barry to continue with the new process. Barry then showed the board the green MacKay book and stuffed animal raccoon that were part of a past fundraiser. Barry is researching a company to reprint the book and plans to order more raccoons. Together they would sell for around \$15. Trustee Cappotelli would like to help Barry get order forms out to the school children. A **motion** was made by Deputy-Mayor O'Donoghue to accept the report; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

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**Clerk-Treasurer Ann Marie Grattan presented the November Clerk Report.**

Submitted were Budget Status Reports for General, Water, Capital and Trust & Agency Funds, a list of revenues and expenditures, the Financial Report, Department Supervisors payroll and contractual expense reports and the Water Reconciliation Report. A **motion** was made by Trustee Cappotelli to accept the report; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

**Monroe County Water rate increase** – due to the increase in per 1,000 gallons used, the village will increase the water rate .10 effective 1/1/19. A **motion** was made by Trustee Boilard to approve the .10 increase; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

**Mayor DiLiberto read the SRO Report for November.** There were 11 district requests for police service, three out-of-building requests, six classroom visits and three emergency drills. Contact was made to parents for the Shop with a Cop program. Alcohol presentations were given in health classes. Emergency lockdown drills were conducted in the middle and high school. A K-9 drug sweep was conducted with assistance from New York State Police and the Newark Police Department. A **motion** was made by Deputy-Mayor O'Donoghue to accept the report; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

A **motion** was made by Deputy-Mayor O'Donoghue to rescind the November 6, 2018 motion to hire Brian Larkin; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

**Water & Street Superintendent Chris Buckley presented the November DPW Report.** Both bacteria samples were negative. New water meters continue to be installed. 13 stake outs were performed. A sanitary survey was performed by the Health Department. Most of November was spent with leaf pick up. The village has been decorated for the holidays. A **motion** was made by Trustee Cappotelli to accept the report; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

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**Code Enforcement Officer Michael Burnside presented the CEO Report for November.** Building permits were issued for a commercial building on Lehigh Street and a shed on Stoney Oak. Violation notices were given for unregistered vehicle, trash on a property and for a dumpster violation. Certificate of Occupancies were issued for the new cell tower and a house demolition. Michael continues to work with the village attorneys on bringing 1 Technology Drive and 353 Park Place into compliance. A **motion** was made by Deputy-Mayor O'Donoghue to accept the report; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

A **motion** was made by Deputy-Mayor O'Donoghue to approve the Sexual Harassment Policy; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

Clerk-Treasurer Ann Marie Grattan is attending training by Underberg & Kessler, Anti-Sexual Harassment Training, on Thursday December 13<sup>th</sup>. Employees will attend internal training annually beginning in 2019.

Discussion regarding the 2019 Caledonia Fire District building rental agreement and the cost of replacing the roof. Chris Buckley received a quote of \$100,000 to \$150,000 depending on if asbestos is found and removed. Item tabled for further discussions with the fire commission.

The following resolution was offered by Trustee Byrnes with Trustee Cappotelli moving for adoption:

#### Application of an Easement

WHEREAS, The Village of Caledonia ("Village") is the owner of a certain parcel of land located on Mill Street in the Village of Caledonia, Livingston County, New York and Village intends to construct, maintain, repair and/or replace a culvert on such parcel; and

WHEREAS, Village will request an easement over a portion of a certain parcel of land owned by New York State Department of Environmental Conservation ("DEC") located on Mill Street in the Village of Caledonia, Livingston County, New York, which is described on Schedule "A" (the "Easement Area"); and

WHEREAS, DEC requires that the Village make an application to the DEC requesting an easement over the Easement Area;

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WHEREAS, DEC requires that prior to the submission of the application, that the Village approves the application; and

It is hereby resolved by the Village Board of Trustees of Caledonia in the County of Livingston and State of New York as follows:

1. It is hereby ratified that the Village apply to the DEC for an easement over the Easement Area.
2. The Mayor of the Village is hereby authorized to complete and sign such application and to take all other actions necessary to obtain an easement over the Easement Area from the DEC.
3. This resolution is to take effect immediately.

UPL01719 Description of Permanent Easements to be conveyed by the DEC to the Village of Caledonia County of Livingston.

ALL THAT TRACT OR PARCEL OF LAND situate in Township 1, Range 1 of the Phelps and Gorham Purchase West of the Genesee – Mill Yard Tract, the Village of Caledonia, Town of Caledonia, County of Livingston and State of New York more particularly bounded and described as follows:

COMMENCING at a point on the northerly bounds of Mill Street (33-foot-wide right of way) at P.C. Station 6+04.84; thence easterly along the northerly bounds of Mill Street on a curve to the left, with a radius of 1893.36 feet, for a distance of 102.09 feet to the southwest corner of lands of the People of the State of New York (Liber 158 of Deeds, Page 153) and the true point of BEGINNING of the parcel herein described; thence N 07° 48' 35" W and along the westerly bounds of lands of said People of the State of New York for a distance of 23.23 feet to a point; thence through the lands of the People of the State of New York the following three (3) courses and distances:

1. N 90° 00' 00" E for a distance of 10.17 feet to a point marked by a rebar set;
2. S 00° 00' 00" E for a distance of 10.58 feet to a point marked by a rebar set; and
3. N 85° 55' 13" E for a distance of 38.89 feet to a point marked by a rebar set in the easterly bounds of said lands of the People of the State of New York; thence S 07° 48' 35" E and along the easterly bounds of said lands of the People of the State of New York for a distance of 12.02 feet to a point marked by a rebar set in the northerly bounds of Mill Street: thence westerly along the northerly bounds of Mill Street on a curve to the right, with a radius of 1893.36 feet, for a distance of 47.55 feet, said curve being subtended by a cord of S 86° 01' 39" W, to the point or place of beginning.

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CONTAINING 675 square feet or 0.016-acre parcel of land, be the same more or less.

ALL AS SHOWN on a map entitled “Map Showing a Permanent Easement to be Acquired by the Village of Caledonia Pursuant to Subdivision 2, Section 3, Article 2 of the Public Lands Law, Project: Livingston 45.01, Located on: Mill Street at the Big Springs Area of the Caledonia Fish Hatchery Property,” dated November 29, 2017, prepared by Landtech Surveying and Planning P.L.L.C. and filed in the Offices of the Department of Environmental Conservation in Albany, New York as Map No. 12,623, said map also being filed in the Office of General Services in Albany, New York as OGS Map No. 2649.

AYE: Mayor DiLiberto, Deputy-Mayor O’Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

Public Hearing comment period – no comments. A **motion** was made by Deputy-Mayor O’Donoghue to close the Public Hearing at 7:40 p.m.; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O’Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

The following resolution was offered by Trustee Byrnes with Trustee Boilard moving for adoption:

**WHEREAS**, a resolution was duly adopted by the Board of Trustees of the Village of Caledonia on November 6, 2018 for a public hearing to be held on December 4, 2018 at the Caledonia Village Hall, 3095 Main Street, Caledonia, New York, to hear all interested parties on a proposed Local Law #4-2018 a local law amending Chapter 202 of the Village Code to provide for weight limits to §39 Schedule XIV “Truck Exclusions”.

**WHEREAS**, notice of said public hearing was duly advertised in the Livingston County Newspaper, the official newspaper of said Village of Caledonia, and

**WHEREAS**, said public hearing was duly held on December 4, 2018 at the Caledonia Village Hall, 3095 Main Street, Caledonia, New York, and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to the Proposed Local Law, or any part thereof, and

**WHEREAS**, the Board of Trustees, after due deliberation, finds it in the best interest of said Village to adopt Local Law No. 4-2018.

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**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees of the Village of Caledonia hereby adopts said Local Law No. 4 of 2018, Chapter 202, Vehicles and Traffic.

**RESOLVED**, that the Village Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Code Book of the Village of Caledonia, and to give due notice of the adoption of said Local Law to the Secretary of State.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

**Trustee Byrnes** spoke about her time as a Village Trustee that began in April of 2018. She moves on now to State Assembly after being elected to the position this November. Unable to hold both positions Marge tendered her resignation effective December 31, 2018. Marge thanked the board and community for their support. A **motion** was made by Deputy-Mayor O'Donoghue to accept Marge Byrnes letter of resignation effective December 31, 2018; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

**Executive Session:** a **motion** was made by Deputy-Mayor O'Donoghue to enter into Executive Session at 7:45 p.m. to discuss legal issues; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

After some discussion, a **motion** was made by Deputy-Mayor O'Donoghue to close the Executive Session at 8:10 p.m.; Trustee Byrnes seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

There being no further business a motion to adjourn was made at 8:10 p.m. by Deputy-Mayor O'Donoghue; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Byrnes and Cappotelli

NAY: None

Ann Marie Grattan  
Village Clerk-Treasurer