

**Village Board Meeting Minutes
June 4, 2019**

The Village of Caledonia Board of Trustees held a meeting on Tuesday, June 4, 2019 at 6:30 p.m. at the Village Office.

Members Present: Mayor Scott DiLiberto, Deputy-Mayor Jerry O'Donoghue, Trustee Greg Boilard, Janet Cappotelli & Sarah Santora. Also present was Water & Street Superintendent Chris Buckley, Code Enforcement Officer Michael Burnside, Police Officer-In-Charge Jared Passamonte and MacKay Park Supervisor Barry Ganzhorn.

Public Hearing: Clerk-Treasurer Ann Marie Grattan read the legal notice regarding a Public Hearing for the purposed consideration of an application for a Bed & Breakfast located at 3096 Main Street. A **motion** was made by Deputy-Mayor O'Donoghue to open the Public Hearing at 6:32 p.m.; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Presentation honoring Dan Chapman – Friends and family attended tonight's meeting as Mayor DiLiberto and OIC Jared Passamonte presented Dan with a retired Police Chief badge. Dan worked as the Caledonia Police Department Chief of Police from September 2011 until May 31, 2019. Dan recently accepted a position as the Fire Chief of Fishers Fire Department. Mayor DiLiberto thanked Dan for his time serving the village and wished him well with his new Fire Chief position.

A **motion** was made by Deputy-Mayor O'Donoghue to approve the May 1, 2019 Board Meeting Minutes; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

A **motion** was made by Trustee Santora to approve the May 31, 2019 Board Meeting Minutes; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Trustee Cappotelli & Santora

NAY: None

Abstain: Deputy-Mayor O'Donoghue & Trustee Boilard were not present at this meeting.

Bills were audited and ordered paid:

Abstract #618, General \$21,637.69 & Water \$2,396.38

Abstract #441, Water \$180.00

Abstract #318, T&A \$280.00

Abstract #439, Water \$19,761.54

Abstract #616, General \$3,034.98 & Water \$324.64

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

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

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

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

F1440.400 Engineering \$9,276 & F Fund Balance

A1620.400 Buildings \$6,000 & A Fund Balance

Public Forum: Gail Milner discussed a library grant for next year and invited the Village Board to a presentation by LaBella Associates Thursday, June 13th at 7 p.m. regarding the new addition.

Barry Ganzhorn presented the May Matthews-MacKay Parks Report. The 2019 CMCS scholarship winner for the MacKay Park is Brice Hatch. The Avon Wesleyan Church volunteers raked the trail. On June 10th Assemblywoman Marge Byrnes will present the pre-k CMCS class with the raccoons and MacKay Wildlife Preserve books she donated to the students. A letter was read and presented to the Village Board from Barry thanking everyone for the Pin Oak Tree Dedication. Barry was recently surprised with a tree dedicated to him at Tennent Park. A **motion** was made by Trustee Boilard to accept the report; Deputy-Mayor O'Donoghue seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Water & Street Superintendent Chris Buckley presented the May DPW Report. Both water samples tested negative for bacteria. New water meters continue to be installed. Graney Road was chip sealed. The village DPW assisted the Town of Caledonia to chip seal several of their roads and also the county on many roads. Five new trees were planted throughout the village. The business district was cleaned, flower boxes arranged and the monument flowers were planted. Mulching was finished and topsoil/seeding and mowing continues. A handicap ramp was installed at the Village Office. The roof drain was piped to the catch basin. The new ADA doors partly funded through a court grant were installed at the Village Office. A **motion** was made by Trustee Santora to accept the report; Deputy-Mayor O'Donoghue seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

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A **motion** was made by Deputy-Mayor O'Donoghue to approve the MRB Group Proposal for Professional Services for grant writing – Spring Street Culvert Replacement, \$2,800; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Clerk-Treasurer Ann Marie Grattan presented the Clerk Report for May.

Submitted were Budget Status Reports for General, Water, Capital and Trust & Agency Funds, a list of revenues and expenditures, the Financial Report and the Water Reconciliation Report. A water credit was issued to 02-1902 for \$11.58. 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, Cappotelli and Santora

NAY: None

Recreation – a **motion** was made by Trustee Santora to approve Clerk-Treasurer Ann Marie Grattan to process payments for Seneca Park Zoo, Dave & Busters & Darien Lake prior to trips; Trustee Boilard seconded the motion.

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

NAY: None

Officer-in-Charge Jared Passamonte presented the May Police Report. There were 75 service calls, 35 traffic tickets issued, 13 Town of Caledonia assists, two accident reports and four arrests. CPD assisted the Livingston County Sheriff's Office with a pistol permit background check on a past village resident. There was a larceny at the former Ace Hardware and Jones Hall. Officer Burnside assisted the Monroe County Sheriff's Office with a minor CMCS school bus crash on Wheatland Center Road in Scottsville. Officer Estabrooks observed a black motorcycle in the village going in excess of 150 mph. Due to safety reason the chase was terminated. Complaints were received regarding speeding on Maple Street, Middle Road, Park Place and Main Street. 20 tickets were issued for a traffic grant. The May SRO Report includes 12 district requests for police services, 11 out-of-building assists to other agencies, four classroom visits and one emergency drill. Assists included Genesee County DSS with transporting a foster child, 911 investigation, assisting the LeRoy Police Department with a policy, Lost K9, wires down, missing juvenile, a traffic complaint and welfare check. Officer Truax met with the Cornell Co-Op regarding dates for the bike helmets and rodeo dates. Traffic tickets included passing a school bus and speeding in a school zone. A pre-school Learning Tree presentation was given by Officer Truax and fire drills were completed. The Pre-Prom DWI Crash Simulation was on Thursday May 30th. Agencies involved were Caledonia Police Department, Mumford and Scottsville Fire Departments, the Livingston County District Attorney's Office and

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Coroner's Office, CHS Ambulance and the Alhart Funeral Home. A **motion** was made by Deputy-Mayor O'Donoghue to accept the reports; Trustee Boilard seconded the motion.

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

NAY: None

Code Enforcement Officer Mike Burnside presented the May CEO Report. Permits were issued for an accessory structure, residence addition, roof and siding to an office building, two sheds, in-ground pool/shed, porch deck and fence. Violation notices, complaints and inspections continue at numerous locations. Alarm permits were issued to the Genesee Valley Shooting Supplies, Caledonia Fitness and the Caledonia Laundromat. Mike attended NYSDEC Erosion and Sediment Control Training, updated the Building Permit to a new format and attended the Zoning Board of Appeals meeting for two variances granted. 257 Spring Street porch approval and 2997 Main Street fence approval. 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, Cappotelli and Santora

NAY: None

Public Hearing Forum: nobody in attendance spoke. Trustee Boilard made a **motion** at 7:38 p.m. to close the Public Hearing; Deputy-Mayor O'Donoghue seconded the motion.

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

NAY: None

The following Resolution was offered by Deputy-Mayor O'Donoghue with Trustee Santora moving for adoption:

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Caledonia on May 1, 2019 for a public hearing to be held on June 4, 2019 at the Caledonia Village Hall, 3095 Main Street, Caledonia, New York, to hear all interested parties on a proposal to consider an application for a Bed & Breakfast located at 3096 Main Street in the Village of Caledonia,

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 June 4, 2019 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 appropriation, or any part thereof, and

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WHEREAS, the Board of Trustees, after due deliberation, finds it in the best interest of said Village to adopt the Resolution.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Caledonia hereby adopts said Resolution to permit the Bed & Breakfast located at 3096 Main Street for 3 years.

RESOLVED, that the Village Clerk is hereby directed to enter said Resolution in the minutes of this meeting.

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

NAY: None

Blue Sky – a **motion** was made by Deputy-Mayor O'Donoghue to permit Mayor DiLiberto to sign the Blue Sky Tower Site Memorandum of Lease; Trustee Santora seconded the motion.

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

NAY: None

A **motion** was made by Trustee Cappotelli to approve the agreement between the Village of Caledonia and Livingston County Development Corporation for the New York Main Street Grant Administrative Services; Trustee Boilard seconded the motion.

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

NAY: None

A **motion** was made by Trustee Santora to approve the 2019 Downtown Partnership Program Memorandum of Understanding with the LCDC, cost \$2,000; Trustee Cappotelli seconded the motion.

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

NAY: None

The following Resolution was offered by Trustee Boilard with Trustee Cappotelli moving for adoption: A Resolution by the Village of Caledonia approving and endorsing the Livingston County Development Corporation in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program.

WHEREAS, the Livingston County Development Corporation desires to apply for \$500,000 in financial assistance through the 2019 Consolidated Funding Application (CFA) under the New York Main Street Program; and

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WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings in the designated downtown districts of Avon, Caledonia and Lima; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the projects will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Caledonia approves and endorses the 2019 New York Main Street Program application for downtown building renovation assistance, prepared and to be submitted by the Livingston County Development Corporation.

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

NAY: None

Park Place Speeding – Mayor DiLiberto discussed an on-going complaint from a resident living on Park Place regarding speeding. A complaint was phoned into 911 when a driver saw something pointed at them from inside a truck. The Caledonia Police Department responded to the call. Mayor DiLiberto met with the resident to discuss the matter. The Mayor asked the Village Board to decide tonight whether to consider the residents request to have stop signs placed at different locations on Park Place. Attendees at tonight’s meeting asked to speak:

Joe Caluorie, 3338 Weitzel Lane stated he’s lived adjacent to Park Place for many years and does not want to see stop signs go up as all streets get speeders.

Jeremy Slocum, 3260 Stanton Parkway stated he is not in favor of stop signs as drivers will have to accelerate at each sign creating noise and one resident’s complaint shouldn’t represent everyone.

John Pauer, 332 Park Place stated he was a law enforcement officer for many years and has lived on Park Place for 50 years. He asks the Village Board “where are the accidents” and is not in favor of stop signs.

Gail Milner, 3228 East Avenue stated she has been in attendance of previous board meetings her street asked the village to help control speeding. Gail stated her main concern is not accidents but children and is in favor of stop signs.

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James Sickles, 3255 Stanton Parkway stated he wants the harassment to stop and his family to be left alone.

Mayor DiLiberto asked each board member to state whether they are in favor of proceeding forward with stop signs on Park Place. Deputy- Mayor O'Donoghue- No, Trustee Sarah Santora- No, Trustee Janet Cappotelli- No, Trustee Greg Boilard- No and Mayor DiLiberto- No. Mayor DiLiberto stated that he appreciates all the residents' feedback and that the Caledonia Police Department will continue to police all the side streets in the village for speed violations.

A **motion** was made by Trustee Boilard to schedule a Public Hearing to appropriate \$40,000 from the Capital Reserve Fund; Trustee Santora seconded the motion.

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

NAY: None

Discussion regarding Phase II of the roof replacement at 3095 Main Street. The cost due to Elmer W. Davis is \$83,185. The Village will finance \$63,000.

The following Resolution was offered by Deputy-Mayor O'Donoghue with Trustee Boilard moving for adoption:

BOND RESOLUTION

A RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS OF THE VILLAGE OF CALEDONIA, LIVINGSTON COUNTY, NEW YORK, TO AUTHORIZE CERTAIN CAPITAL IMPROVEMENTS CONSISTING OF THE REPLACEMENT OF A PORTION OF THE VILLAGE BUILDING ROOF AND TO AUTHORIZE THE ISSUANCE OF SERIAL BONDS AND/BOND ANTICIPATION NOTES FOR THE FINANCING THEREOF

WHEREAS, the **VILLAGE OF CALEDONIA** (the "**Village**"), in the County of Livingston, by its Board of Trustees has determined it necessary for the Village, to undertake the replacement of a portion of the Village Building roof (the "**Project**"); and

WHEREAS, the estimated cost of the Project is not greater than \$84,000; and

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Caledonia, Livingston County, New York, as follows:

Section 1. The Project is hereby authorized at a cost not to exceed \$84,000.

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Section 2. The financing of the Project, and the costs of issuance of such financing, (the “**Specific Object and Purpose**”), is hereby authorized at a maximum estimated aggregate cost not to exceed \$84,000.

Section 3. The Specific Object and Purpose of the Project is described in Section 11 of the New York State Local Finance Law.

Section 4. The Board of Trustees, acting as Lead Agency under the SEQRA regulations of the State of New York, hereby determines the Project to be a TYPE II Action that does not necessitate the preparation of and Environmental Impact Statement

Section 5. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Village, or bond anticipation notes issued in anticipation of such serial bonds, in an aggregate principal amount not exceeding \$84,000, which are hereby authorized to be issued therefore pursuant to the Local Finance Law. The source of the repayment of such obligations shall be Village funds.

Section 6. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

Section 7. It is hereby determined that the period of probable usefulness of the Project is 25 years, pursuant to subparagraph 1 of Section 11.00.a. of the Local Finance Law.

Section 9. The faith and credit of the Village of Caledonia, Livingston County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 10. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to

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authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

Section 11. All other matters relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, as the chief fiscal officer of the Village, except as specifically provided herein. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 12. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 13. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, if required by law.

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Section 15. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 16. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 1 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 17. This resolution shall take effect immediately.

Section 18. This resolution or a summary hereof shall be published in full in the official legal newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

NAY: None

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Executive Session: a **motion** was made at 8:20 p.m. by Trustee Cappotelli to enter into Executive Session for the purpose of discussing legal issues; Trustee Santora seconded the motion.

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

NAY: None

There being no further business, a motion to close the Executive Session was made at 8:50 p.m. by Trustee Cappotelli; Trustee Santora seconded the motion.

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

NAY: None

At 8:50 p.m. a **motion** to adjourn was made by Deputy-Mayor O'Donoghue; Trustee Boilard seconded the motion.

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

NAY: None

Ann Marie Grattan

Village Clerk-Treasurer