

*Village Board Meeting Minutes
February 7, 2012*

The Village of Caledonia Board of Trustees held a meeting on Tuesday, February 7, 2012 at 6:30 p.m. at the Village Office.

Members Present: Mayor Joe Caluorie, Deputy-Mayor Scott DiLiberto, Trustee Jerry O'Donoghue, Steve Polo, Teresa Truman and Attorney Jim Coniglio.

Local Law #1-2012 Noise Control Law: Clerk-Treasurer Ann Marie Grattan read the legal notice from the Livingston County Newspaper. A **motion** was made by Deputy-Mayor DiLiberto to open the Public Hearing; Trustee O'Donoghue seconded the motion.
AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman
NAY: None

Local Law #2-2012 Property Tax Levy Law: Clerk-Treasurer Ann Marie Grattan read the legal notice from the Livingston County Newspaper. A **motion** was made by Deputy-Mayor DiLiberto to open the Public Hearing; Trustee O'Donoghue seconded the motion.
AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman
NAY: None

A **motion** was made by Trustee Polo to approve the January 3, 2012 Board Meeting Minutes; Trustee O'Donoghue seconded the motion.
AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman
NAY: None

Bills were audited and ordered paid:

Abstract #401-402
 General \$37,584.32 & Water \$3,031.73
Abstract #257-258
 Water \$16,590.64
Abstract #65
 Capital \$174.00

A **motion** was made by Trustee Truman to approve the bills paid; Trustee Polo seconded the motion.
AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman
NAY: None

A **motion** was made by Trustee Truman to approve payment to the NYS Comptroller's Office for December court fees, \$3,157.75; Deputy-Mayor DiLiberto seconded the motion.
AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman
NAY: None

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Budget Transfers: a **motion** was made by Trustee Polo to approve the following budget transfers; Trustee O'Donoghue seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

F8310.200 Admin Equip \$1,370.79 from F1910.400 Unallocated Insurance

A1325.200 Clerk Equip \$561.83 from A1325.400 Clerk Contractual

A1920.400 Dues \$51.10 from A1420.400 Law Contractual

A3120.130 Police P/T \$2,091.25 from A3120.120 Police

Budget Workshop: a **motion** was made by Trustee O'Donoghue to change the time on the February 19th, 2012 budget meeting to 9 a.m. until 11 a.m.; Deputy-Mayor DiLiberto seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

Ann Marie Grattan presented the Clerk-Treasurer Report for the month January.

The report included general and water revenues and expenses, Recreation, DPW and Police payroll and contractual budgets. Also submitted was the Financial Report and balance sheets for General, Water, Capital and Trust & Agency. This month included a new report for water; which will be submitted each month. The report lists credits issued to water accounts with an explanation as to why an adjustment was made. A **motion** was made by Deputy-Mayor DiLiberto to accept the report; Trustee O'Donoghue seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

Jared Passamonte presented the Police Report for the month of January. There were 101 service calls, 50 traffic tickets, 13 town assists, 99 property checks, ten accident reports, six arrests, two warrants, five mental hygiene arrests and six parking tickets. Officer Heneghan will be attending School Resource Officer School. Officer Salley will be attending Child Car Seat Certification. A **motion** was made by Deputy-Mayor DiLiberto to accept the report; Trustee Truman seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

Tom Perkins presented the Code Enforcement Report for the month of January.

Permits were issued for a shed, enclosed porch and structure change. Violation notices were sent to three residents. A **motion** was made by Trustee O'Donoghue to accept the report; Trustee Polo seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

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Chris Buckley presented the DPW Report for the month of January. Water distribution work included curb box and water meter repairs and valve turning. Water bacteria samples were negative. Street work included cold patching, brush pickup and right of way clean up. Equipment was maintained. A **motion** was made by Trustee Truman to accept the report; Trustee Polo seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

Barry Ganzhorn presented the Park Report for the month of January. The cub scouts hung suet in the parks for winter animals. There was a tire dumping at trailside 6. Dick Thomas of the DEC removed and took it to the town recycle center. A **motion** was made by Trustee Polo to accept the report; Trustee Truman seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

Lisa Bleier of the Caledonia Village Inn – and Lori Beardsley discussed an Ice Festival in March of 2013. The wintertime event would have an ice sculpture contest and other activities. Right now the beginning stage of planning has begun with Lisa Burns of Livingston County Tourism. Mrs. Bleier will provide additional information to the board as planning continues.

Street Lighting Replacement Project – Jim Coniglio presented the Bond Resolution for financing of the project. A **motion** to approve the resolution was made by Trustee O'Donoghue and Trustee Polo seconded the motion, which was unanimously adopted by the board by roll call:

AYE: Mayor Caluorie

AYE: Deputy-Mayor DiLiberto

AYE: Trustee O'Donoghue

AYE: Trustee Polo

AYE: Trustee Truman

VILLAGE OF CALEDONIA

BOND RESOLUTION No.1

February 7, 2012

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE VILLAGE OF CALEDONIA, LIVINGSTON COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE THE CONSTRUCTION OF CERTAIN STREET LIGHT IMPROVEMENTS AS DESCRIBED HEREIN.

WHEREAS, the VILLAGE OF CALEDONIA, in the County of Livingston, by its Board of Trustees has determined it necessary for the Village to construct certain improvements to the Village street light system, to wit: the replacement of light poles and

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lighting units and related equipment thereto (the "Project").

WHEREAS, the estimated maximum costs for the Project is Two Hundred Fifty Thousand Dollars (\$250,000) plus the cost of issuance of the bonds or notes.

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 constitutes a specific object or purpose defined by Section 11.00.(a) 5 of the New York State Local Finance Law (the "Local Finance Law").

Section 2. The Project is hereby authorized subject to the terms and conditions of this Resolution.

Section 3. The financing of the Project, is hereby authorized at a maximum estimated cost of \$250,000.00.

Section 4. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Village in an aggregate principal amount not exceeding \$250,000.00, which are hereby authorized to be issued therefore pursuant to the Local Finance Law.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty (30) years, pursuant to subparagraph 5 of Section 11.00.(a) of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of thirty (30) years.

Section 6. 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 7. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby authorized as if by separate resolution and is delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Village Treasurer, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

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Section 8. All other matters except as provided herein 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. 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 9. 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 10. 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 11. This resolution is subject to permissive referendum pursuant to Article 7 of the Village Law and shall not become effective until the earlier of either (a) the expiration of 30 days or (b) its approval by the qualified voters of the Village in any special election held pursuant to a petition duly filed requesting such election. The Village Clerk is hereby authorized to publish an abstract of this resolution shall be published in the Livingston County News, as the official newspaper of the Village for such purpose,

Section 12. Upon the effective date as defined by Section 11 hereof, a notice of the Village Clerk in substantially the form prescribed in Section 81.00 of the Local Finance Law shall likewise be published in the Livingston County News, as the official newspaper of the Village for such purpose.

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Article XV Nonconforming Uses Discontinuance – application was received from Dean D’Agostino of Daffies Pizza, 26 North Street. A **motion** was made by Deputy-Mayor DiLiberto to approve the application; Trustee O’Donoghue seconded the motion. AYE: Deputy-Mayor DiLiberto, Trustee O’Donoghue, Polo and Truman
NAY: None

Garbage & Recycle bids: from the January 3, 2012 Board Meeting:

<u>Vendor</u>	<u>Garbage</u>	<u>Recycle</u>	<u>Total</u>
LT Disposal-1 st Year	\$145,000	\$40,000	\$185,000
LT Disposal-2 nd Year	\$147,000	\$42,000	\$189,000
Waste Management-1 st Year	\$132,048	\$44,843	\$176,891
Waste Management-2 nd Year	\$134,359	\$45,823	\$180,182

A **motion** was made by Trustee Polo to accept Waste Managements bids; Trustee Truman seconded the motion.

AYE: Mayor Caluorie, Trustee Polo and Truman

NAY: None

Abstain: Deputy-Mayor DiLiberto and Trustee O’Donoghue

Sand Hill Road water service: Jim Coniglio informed Chris Buckley that he reviewed and gives his approval for a letter to be sent to a resident at 328 Sand Hill Road.

Rita Kanaley of Country Junktion & Patty Kline discussed with the board an Old Glory Country Fair they are holding at the American Legion on July 28th from 9 a.m. to 4 p.m. Ms. Kline will hold a quilt show at Hamilton Park. As additional planning continues, an Amusement Application will detail all events.

Dennis & Michelle Cohen of 3366 Brown Road – requests annexation to permit the construction of a 59’ long addition to the east side of the existing home. The Town of Caledonia has agreed to allow the annexation of town property into the village. A **motion** was made by Trustee O’Donoghue to hold a Public Hearing on Tuesday, March 6, 2012, at 6:30 p.m. at the Village Hall; Trustee Polo seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O’Donoghue, Polo and Truman

NAY: None

Public Hearing Comment Period – no persons wished to speak regarding Local Law #1-2012 Noise Ordinance Law. Trustee Polo made a **motion** at 7:35 p.m. to close the Public Hearing; Trustee O’Donoghue seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O’Donoghue, Polo and Truman

NAY: None

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Resolution and order enacting Local Law #1-2012: the following resolution was offered by Trustee Truman; with Trustee O'Donoghue moving for adoption:

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Caledonia on January 3, 2012 for a public hearing to be held on February 7, 2012 at the Caledonia Village Hall, 3095 Main Street, Caledonia, New York, to hear all interested parties on a proposed Local Law known as the Village of Caledonia Noise Ordinance Law.

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 February 7, 2012 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, Noise Control Law includes Section I – Title and Statement of Legislative intent, Section 2 – Prohibited Acts, Section 3 – Abatement of excessive noise and Section 4 – Exceptions, and

WHEREAS, the Board of Trustees, after due deliberation, finds it in the best interest of said Village to adopt Local Law No. 1 – 2012,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Caledonia hereby adopts said Local Law No. 1 of 2012 a Noise Control Law.

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 Caluorie, Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo & Truman

NAY: None

Public Hearing Comment Period – no persons wished to speak regarding Local Law #2-2012 Property Tax Levy Law. Trustee Polo made a **motion** at 7:40 p.m. to close the Public Hearing; Trustee O'Donoghue seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None

Resolution and order enacting Local Law #2-2012: the following resolution was offered by Trustee Truman; with Trustee O'Donoghue moving for adoption:

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Caledonia on January 3, 2012 for a public hearing to be held on February 7, 2012 at the

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Caledonia Village Hall, 3095 Main Street, Caledonia, New York, to hear all interested parties on a proposed Local Law known as the Village of Caledonia Property Tax Levy Law.

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 February 7, 2012 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, Property Tax Levy Law includes Section 1 – Legislative Intent, Section 2 – Authority, Section 3 – Tax Levy Limit Override, Section 4 – Severability and Section 5 – Effective Date, and

WHEREAS, the Board of Trustees, after due deliberation, finds it in the best interest of said Village to adopt Local Law No. 2 – 2012,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Caledonia hereby adopts said Local Law No. 2 of 2012 a Property Tax Levy Law.

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 Caluorie, Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo & Truman

NAY: None

There being no further business, Trustee Truman made a motion at 7:45 pm. to adjourn; Trustee Polo seconded the motion.

AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo and Truman

NAY: None