

*Village Board Meeting Minutes  
October 1, 2013*

**The Village of Caledonia Board of Trustees held a meeting on Tuesday, October 1, 2013 at 6:30 p.m. at the Village Office.**

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

Present at tonight's meeting and surrounded by his loving family, was Don Manley who served this community for 50 years as a volunteer. Mayor Caluorie spoke of Don's accomplishments and life-long dedication to servicing the Caledonia community. Deputy-Mayor DiLiberto offered the following Resolution with Trustee O'Donoghue moving for adoption:

Resolution by  
Caledonia Village Board  
Honoring and commending an outstanding citizen  
and Firefighter for 50 years of service.

**WHEREAS**, during those fifty years Don Manley served this community as a willing volunteer, a dedicated employee and exemplary firefighter, and

**WHEREAS**, this service included President of the Hook and Ladder Company, Fire Chief, Arson Investigator, Fire Marshal, Fire Commissioner, Captain of the Fire Police, President of the Livingston County Fireman's Association, Vice President of the Livingston County Fire Chief's Association, Volunteer Caledonia Ambulance member and Secretary to the Caledonia Fireman's Parade and Carnival. The Department's Baby Sitting Course benefited from his dedication for 30 years, and

**WHEREAS**, he held membership and was elected an officer in numerous firefighting organizations, and

**WHEREAS**, he performed every task asked of him from committee members, and

**WHEREAS**, he served above capacities with commitment, thoughtfulness and courtesy,

**NOW, THEREFORE**, to record our esteem for Don Manley, we the members of the Caledonia Village Board do express our profound and heartfelt appreciation for his many years of dedicated service to our community.

The Clerk of this Board is instructed to forward a copy of this resolution to Don and to set aside a page in the Official Minutes of the Village of Caledonia for this commendation.

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

**NAY:** None

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**Main Streets Go Blue** – Livingston County Department of Health Nurse Colleen Schiedel thanked the Village Board and Chris Buckley for their participation in the Main Street Go Blue Program. The program kicked off in March. Colon cancer screening at Noyes Hospital increased from 140 to 270 in March. The program will run again in March 2014.

**Wesley Ebersole, Boy Scout** – gave a power point presentation to the Village Board on Trigon Park. The park was cleaned, a new trail was made, mulch was spread and new plants were planted. Wesley has completed his project with the help of friends and community members. The Village Board thanked Wesley for his hard work.

A **motion** was made by Trustee O’Donoghue to approve the September 3, 2013 Board Meeting Minutes; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

**Bills** were audited by Deputy-Mayor DiLiberto, Trustee O’Donoghue and Truman. Trustee Polo did not audit the bills. Trustee Truman made a **motion** to order bills paid and allow Mayor Caluorie to sign the abstracts; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

Abstract #453 General \$2,470.62      Abstract #300 Water \$13,169.24  
Abstract #454 General \$29,304.53 & Water \$809.83

**Budget Amendment:** a **motion** was made by Trustee O’Donoghue to approve the following Budget Amendments; Trustee Truman seconded the motion.

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

NAY: None

A2705 Donations/A7310.410 Youth Contractual \$100 Five Star Fall Festival donation  
F8310.100 Water Admin Personnel/F8310.400 Admin Contractual \$904

**Budget Transfer:** a **motion** was made by Deputy-Mayor DiLiberto to approve a Budget Transfer of \$668.50 to A7310.400 Recreation Contractual from A7310.100 Recreation Personnel; Trustee O’Donoghue seconded the motion.

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

NAY: None

Discussion on \$1,754 in additional aid received from the NYS. Trustee Polo questioned if the money should to be set aside for infrastructure improvements. Chris Buckley will make a list of projects so decisions can be made as to prioritizing projects. Clerk-Treasurer Ann Marie Grattan recommends the money go towards additional principal on the Street Light Ban in order to pay the balance off early and reduce interest

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payments. In May of 2013, an additional \$10,000 in principal was made. In May of 2014, there will be another additional \$10,000. A **motion** was made by Trustee Polo for the Budget Amendment A3001 Per Capita and A9730.600 Bond Anticipation Note Principal, \$1,754; Trustee O'Donoghue 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 of September.** Presented to the Village Board for their review were the Budget Status Reports for General, Water and Trust & Agency funds, Department Reports, the Financial Report, Taxes Paid and Water Adjustment Report. A **motion** was made by Deputy-Mayor DiLiberto to accept the reports; Trustee O'Donoghue seconded the motion.

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

NAY: None

A **motion** was made by Deputy-Mayor DiLiberto to waive the penalty fee on tax bill 000194; Trustee O'Donoghue seconded the motion.

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

NAY: None

Tax receipt was mailed to the homeowner and marked paid due to clerical error. Therefore, the homeowner thought their escrow account made payment.

**Records Management** – Trustee Truman verified the annual destruction of records and signed the authorization form permitting the Clerk-Treasurer to dispose of certain items. A **motion** was made by Deputy-Mayor DiLiberto to accept Trustee Truman's audit of record destruction; Trustee O'Donoghue seconded the motion.

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

NAY: None

A **motion** was made by Deputy-Mayor DiLiberto to hire Sandra Peterson effective December 1, 2013 as part-time Deputy Clerk-Treasurer, annual salary \$13,000; Trustee Truman seconded the motion.

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

NAY: None

**Tax Resolution:** Deputy-Mayor DiLiberto offered the following resolution with Trustee Truman moving for adoption:

NOW, THEREFORE, pursuant to Section 1442 of the New York State Real Property Tax Law, be it resolved that the Village of Caledonia requests collection of certain delinquent Village Taxes by the County of Livingston.

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

NAY: None

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The resolution was unanimously adopted and will be filed with the Livingston County Treasurer and the Clerk of the Livingston County Board of Supervisors on October 2<sup>nd</sup>.

**Judge Mark Riggi presented the Annual Court Report and Audit.** Judge Riggi spoke of increases in court cases and arraignments. Also discussed was the \$21,397 in grants received by Court Clerk Julie Molisani from 2008 to 2012. Judge Riggi presented the 2013 grant:

**Joint Village/Town Resolution:** Trustee Polo made the following resolution with Trustee Truman moving for adoption:

**WHEREAS**, the Caledonia Village Court is desirous to enter into a joint agreement with the Town of Caledonia Court to apply to the 2013 Justice Court Assistance Program for a \$9,865.00 grant;

**WHEREAS**, an application requesting funding will be submitted for entry and handicap accessible foyer doors,

**NOW, THEREFORE, be it resolved**, that the Caledonia Village Court is authorized to enter into a joint agreement with the Town of Caledonia Court for a grant,

**RESOLVED**, that the Court Clerk, Julie Molisani is hereby authorized to execute the application and any and all other required documents related to the grant.

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

NAY: None

Judge Riggi discussed the Annual Court Audit conducted by Trustee Truman on September 12, 2013. A **motion** was made by Trustee O'Donoghue to accept the audit and the annual report; Trustee Polo seconded the motion.

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

NAY: None

**Chris Buckley presented the DPW Report for the month of September.** Both bacteria water samples were negative. Hydrants were flushed and water meters read for quarterly billing. Installation of the new radio read water meters has begun. Topsoil and driveway restorations for Armstrong Place, Grand Circle and Stanton Parkway were completed. Help was provided to the Town of Caledonia to restore Black Street and Feeley Road. Equipment, park and building maintenance continues. A **motion** was made by Trustee Polo to accept the report; Trustee O'Donoghue seconded the motion.

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

NAY: None

A **motion** was made by Deputy-Mayor DiLiberto to pay Karen Polo as a vendor to update the village commons sign; Trustee Truman seconded the motion. Annual cost \$599.40.

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

NAY: None (Abstain: Trustee Polo)

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**Dan Chapman presented the Police Report for the month of September.** There were 103 service calls, 33 traffic tickets issued, nine town assists, one accident report and five arrests. A free class is being offered in Niagara County on Officer Suicide. A **motion** was made by Trustee O'Donoghue to accept the report; Trustee Truman seconded the motion.

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

NAY: None

A **motion** was made by Trustee O'Donoghue to approve Dan Chapman to attend the Annual Executive Development Seminar in Varysburg October 16-17<sup>th</sup>, cost \$160; Trustee Truman seconded the motion.

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

NAY: None

Discussion regarding the Crossing Guard Val Kay's salary. The salary was reduced from \$5,380 to \$3,000 annually due to the elimination of two daily bus runs at the school. Val submitted a letter for the boards review. A meeting will be scheduled with Chief Chapman, School Superintendent Bob Molisani and Tompkins Insurance to discuss crossing children, directing traffic and training issues. Trustee Polo suggested that full pay be reinstated for the remainder of the fiscal year retroactive back to September. The issue will be revisited after the meeting is held. A **motion** was made by Trustee Polo to increase the Crossing Guard pay to \$5,380 retroactive to September 2013; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

A **motion** was made by Deputy-Mayor DiLiberto to approve a Budget Amendment A3120.130 Police Personnel Service-PT to A3120.150 Crossing Guard, \$2,380; Trustee Polo seconded the motion.

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

NAY: None

**Tom Perkins presented the Code Enforcement Report for the month of September.** Permits were issued for a porch, fence and hot tub. Completed projects included decks, a garage, solar roof mounted system, porch, basement egress window and fence. There were five pending violation notices, complaints and inspections. A **motion** was made by Trustee Polo to accept the report; Trustee O'Donoghue seconded the motion.

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

NAY: None

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**Barry Ganzhorn presented the Matthews-MacKay Park Report for the month of September.** The Girl Scouts have approached Barry regarding a learning center project. More information will be provided at a later time. A willow tree was planted in memory of Chris and Emily Peterson. A dedication will be held this spring. A **motion** was made by Trustee Polo to accept the report; Trustee Truman seconded the motion.  
AYE: Deputy-Mayor DiLiberto, Trustee O'Donoghue, Polo & Truman  
NAY: None

**Local Law #2-2013** – a local law amending Chapter 215-4, rezoning lands known as McKay Park from Light Industrial (I-1) to Land Conservation (L-C).

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

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF CALEDONIA REGARDING ADOPTING LOCAL LAW NO. 2-2013 AMENDING SECTION 215-4 OF THE CODE OF THE VILLAGE OF CALEDONIA FOR THE PURPOSE OF REZONING LANDS KNOWN AS MACKAY PARK (PARCEL MAP NUMBER 7.7-1-64) FROM LIGHT INDUSTRIAL (I-1) TO LAND CONSERVATION (LC)**

**WHEREAS**, a resolution was duly adopted by the Board of Trustees of the Village of Caledonia (the "Village Trustees") for a public hearing to be held by said Governing body on May 7, 2013 at the Village Office of Caledonia to hear all interested parties on a Proposed Local Law amending Section 215-4 of the Code of the Village of Caledonia for the purpose of rezoning lands known as MacKay Park (parcel map number 7.7-1-64) from Light Industrial (I-1) to Land Conservation (LC) (the "Project"); and

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

**WHEREAS**, said public hearing was duly held on May 7, 2013 at 6:30 p.m. at the Village Office of Caledonia, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, the Village Trustees forwarded a copy of the Proposed Local Law to the Livingston County Planning Board in accordance with GML §239-m; and

**WHEREAS**, by correspondence dated June 14, 2013, the Livingston County Planning Board recommended approval of the Project; and

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**WHEREAS**, a resolution was duly adopted by the Village Trustees on September 3, 2013 declaring the Project as an Unlisted Action under Article 8 of the New York State Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, “SEQRA”) and making a negative declaration for purposes of SEQRA; and

**WHEREAS**, the Village Trustees, after due deliberation, find it in the best interest of said Village to adopt said Proposed Local Law; now, therefore, be it

**RESOLVED**, that the Village Trustees hereby adopt said Local Law No. 2-2013 entitled “A local law of the Village of Caledonia amending section 215-4 of the Code of the Village of Caledonia for the purpose of rezoning lands known as Mackay Park from Light Industrial (I-1) to Land Conservation (LC),” a copy of which is attached hereto as Exhibit A and made a part of this resolution, and be it further

**RESOLVED**, that the Village Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Caledonia, to give due notice of the adoption of said Local Law to the Secretary of State, and within thirty (30) days of the effective date of this Resolution, to file a report of the final action the Village Trustees have taken with the Livingston County Planning Board.

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

NAY: None

Abstain: Trustee Polo

Social Media Appropriate Use Policy – tabled per Village Attorney

A **motion** was made by Trustee Polo to approve the following assignments made by Mayor Caluorie; Trustee O’Donoghue seconded the motion.

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

NAY: None

Wire Transfer & Online Banking Policy – assigned to Trustee Truman

Travel & Conference Policy – assigned to Deputy-Mayor DiLiberto

Capital Asset Control Policy – assigned to Trustee Truman

**2014 Health Insurance** – a **motion** was made by Trustee O’Donoghue to continue with the existing plans Excellus HDHP-11 & 13; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

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**Computel Consultants** – a **motion** was made by Trustee O’Donoghue to allow Mayor Caluorie to move forward with a Settlement and Release Agreement for funds negotiated on behalf of the village by Computel Consultants; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

**Amusement Permit** – a **motion** was made by Trustee O’Donoghue to approve an application for Amusement Area Permit for Tim Davis for the October 5<sup>th</sup> Harvest Hop and Market; Trustee Polo seconded the motion.

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

NAY: None

**Timothy Nothnagle** – discussion regarding a letter from Mr. Nothnagle’s attorney Peter Skivington. Mr. Nothnagle owns a lot on Iroquois Road in the Town of Caledonia near the golf course. He would like to tap into the private water line that serves the mobile home park. DPW Superintendent Chris Buckley stated that he is not against the connection. However, the village cannot give approval to move forward. The lot is in the town, not village, and the park owners Iroquois Road LLC, are the only parties that can approve the connection to tap into their line. One water invoice will continue to be provided for the 99 mobile home units and Mr. Nothnagle’s home.

**2013 Caledonia Fire District Lease** – a **motion** was made by Trustee O’Donoghue to approve Mayor Caluorie to execute the 2013 agreement with the Caledonia Fire District for a monthly rental fee of \$1,200; Trustee Polo seconded the motion.

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

NAY: None

The lease will be approved each year going forward.

**Election Resolution:** Deputy-Mayor DiLiberto made the following resolution with Trustee O’Donoghue moving for adoption.

**WHEREAS**, the next general Village Election for officers will be held on March 18, 2014 and

**NOW, THEREFORE, BE IT RESOLVED:** that the Board of Trustees designated the following offices as vacant at the end of the current official year, to be filled at the Village election to be held on March 18, 2014 for the following terms:

TRUSTEE     FOUR (4) Years

TRUSTEE     FOUR (4) Years

MAYOR       FOUR (4) Years

Election Law, 15-104, sub. 3(a)

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

NAY: None



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A **motion** was made by Trustee O'Donoghue to accept Barry Ganzhorn's letter of resignation from the Zoning Board of Appeals; Trustee Truman seconded the motion.

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

NAY: None

There being no further business, a motion was made at 9 p.m. by Trustee Polo to adjourn; Trustee Truman seconded the motion.

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

NAY: None

Ann Marie Grattan

Village Clerk-Treasurer