

Regular Monthly Meeting
Caledonia Town Board
January 15, 2015
7:00 P.M.

A regular Meeting of the Town Board of the Town of Caledonia was held Thursday, January 15, 2015 at 7:00 P.M. at the Town Hall.

Supervisor Pangrazio called the meeting to order and led in the Pledge of Allegiance.

<u>PRESENT:</u>	Supervisor	Daniel Pangrazio
	Councilman	Mark Rothrock
	Councilman	Tim Anderson
	Councilwoman	Pamela Rychlicki
	Councilman	Todd Bickford
	Town Clerk	Laurie Sattora

OTHERS: Mark Schroeder Highway Superintendent, Tom Perkins Code Enforcement Officer, Phil Brooks, Thomas Murphy, Robert Sturm, Sarah Santora.

RESOLUTION 31-2015

APPROVAL OF DECEMBER 11, 2014 MINUTES

On motion of Councilman Bickford, seconded by Councilman Anderson the following resolution was
ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0
RESOLVED, that the minutes of December 11, 2014 be approved as presented.

RESOLUTION 32-2015

APPROVAL OF DECEMBER 30, 2014 MINUTES

On motion of Councilman Rothrock seconded by Councilwoman Rychlicki the following resolution was
ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0
RESOLVED, that the minutes of December 30, 2014 be approved as presented.

RESOLUTION 33-2015

APPROVAL OF JANUARY 2, 2015 MINUTES

On motion of Councilman Bickford, seconded by Councilman Anderson the following resolution was
ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0
RESOLVED, that the minutes of January 2, 2015 be approved as presented.

OPEN FORUM

No one requested to speak.

ANNOUNCEMENTS/COMMUNICATIONS

Supervisor Pangrazio reviewed the following communications with the Board:

- Three more letters of support came in the mail after the January 8, 2015 Public Hearing for the Valley Sand and Gravel Zoning Change were received from Suit-Kote, Associated Builders & Contractors, Inc., and Senator Patrick M. Gallivan.
- Association of Towns Training February 2015
- Teen Recognition nominations are due by February 13th
- Letter from Livingston County Development regarding the Downtown Partnership Program that the Village of Caledonia has been participating in and asking that the Town and Village renew the contract with Livingston County Development and also consider adopting the 485N tax abatement for the downtown district. The annual fee for the Downtown Partnership is \$4000.00
- The Canawagus Historical Marker is in need of painting. Town Historian Eileen Lafave-Bickford is working with Highway Superintendent Mark Schroeder on getting the marker painted. Once painted the DOT will put the sign back up.

DEPARTMENTS/COMMITTEES

ATTORNEY – PETER SKIVINGTON

Attorney Skivington was unable to attend tonight’s meeting so Supervisor Pangrazio gave a recap of the Local Law No. 1 For 2015 ReZoning Public Hearing held on January 8, 2015 for Valley Sand and Gravel.

- All speakers were in support of the zoning change.
- No one spoke against the zoning change and the Town received no phone calls or mail against the proposed zoning change.

RESOLUTION 34-2015

SEQR FACT FINDINGS

AS REQUIRED UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”) AND 6 NYCRR PART 6

On motion of Councilwoman Rychlicki, seconded by Councilman Anderson the following resolution was
ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0

**TOWN OF CALEDONIA
COUNTY OF LIVINGSTON
STATE OF NEW YORK**

**IN THE MATTER OF THE APPLICATION OF
VALLEY SAND & GRAVEL INC., FOR THE
REZONING OF TAX MAP PARCEL NO. 23-1-14 IN
THE TOWN OF CALEDONIA, IN THE COUNTY
OF LIVINGSTON, NEW YORK FROM AGRICULTURAL
AND RURAL RESIDENTIAL (RR) TO HEAVY INDUSTRIAL (I-2)**

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT
INVOLVED AGENCY FINDINGS OF FACT AND CONCLUSIONS
FACT FINDINGS AND CONCLUSIONS
OF THE TOWN OF CALEDONIA
TOWN COUNCIL
AS REQUIRED UNDER THE NEW
YORK STATE ENVIRONMENTAL
QUALITY REVIEW ACT (“SEQRA”)
AND 6 NYCRR PART 6**

PREAMBLE

Whereas, a petition for rezoning dated February 13, 2008 was filed with the town Council by Valley Sand and Gravel, Inc. (“Valley”) which sought to rezone Tax Map Parcel # 23 –1 – 14 from Rural Residential (R – R) to Heavy Industrial (I – 2) to allow said parcel to be used for sand and gravel mining purposes; and

Whereas, on or about November 7, 2006 Valley applied to the New York State Department of environmental conservation ("NYSDEC") for a permit to expand its currently permitted sand and gravel mine to include the subject premises; and

Whereas, both the petition for rezoning and the application for expansion of the mining facilities are classified as Type I actions under SEQRA; and

Whereas, NYSDEC assumed lead agency status for purposes of conducting a coordinated environmental impact review as required by SEQRA and issued a Positive Declaration and directed that a Draft Environmental Impact Statement (“DEIS”) be prepared; and

Whereas, a public hearing to accept verbal comments in connection with preparing a draft scoping document was held at the Caledonia Town Hall on October 8, 2008 and NYSDEC allowed the submission of written comments was permitted up until October 20, 2008; and

Whereas, NYSDEC accepted the DEIS for public review on December 5, 2013 and conducted a public hearing thereon on January 8, 2014 and further permitted a period for written public comment thereon open until January 24, 2014; and

Whereas, on April 15, 2014 NYSDEC issued a Final Environmental Impact Statement (“FEIS”) which addressed the verbal and written comments to the DEIS; and

Whereas, on June 3, 2014 NYSDEC issued specific findings (the “NYSDEC Findings Statement”) based on the DEIS and FEIS and determined that with the implementation of the proposed mitigation measures described in the FEIS and DEIS the proposed expansion of the mining facility would minimize or avoid any adverse environmental impacts.

FINDINGS OF FACT

Based upon the foregoing and a review of the Scoping Document, the DEIS, FEIS and the NYSDEC Findings Statement the Town Council hereby makes the following findings of fact:

1. The DEIS and the FEIS provided a complete and thorough analysis of all potential adverse environmental impacts connected to the proposed mining facility.
2. The NYSDEC Findings Statement contained a thorough analysis of all mitigation measures which will either minimize or avoid any adverse environmental impacts.
3. The proposed mitigation measures will minimize or avoid any adverse impacts of the proposed rezoning.

CONCLUSIONS

The Town Council hereby concludes as follows:

1. The requirements of 6NYCRR Part 617 have been met.
2. Consistent with the social, economic and other essential considerations from the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable.
3. Consistent social, economic and other essential considerations, to the maximum extent practicable, adverse environmental impacts revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the rezoning those mitigation measures identified as practicable.
4. The rezoning with the mitigation measured proposed will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

ZONING

No report required.

BUILDING & GROUNDS

Councilman Bickford reported to the Board that he is still waiting on the bids to come in for the new boiler system.

HIGHWAY DEPARTMENT

Highway Superintendent Mark Schroeder reported to the Board on the projects that the Highway Department has

been busy working on.

- Jim Sawyer will be retiring March 11, 2015 and has submitted his letter of resignation for purposes of retirement.
- Highway Superintendent Mark Schroeder requested that the Board would approve the advertisement for the position for the Highway Department in the Pennysaver for 2 weeks and all applications must be submitted by February 6, 2015. Supervisor Pangrazio and Councilman Bickford will participate in the interview and hiring process.
- The Highway Department has been busy plowing snow and also working in the shop and performing maintenance on the trucks.

TOWN CLERK

Town Clerk Laurie Sattora submitted her monthly report to the Town Board for the month of **DECEMBER 2014**.

TOWN CLERK'S REPORT – DECEMBER 2014

Total Local Shares Remitted to Town Supervisor	\$ 1,856.09
Amount paid to: NYS Ag. & Markets Animal Population Control Fund	\$ 41.00
Amount paid to: NYS Environmental Conservation	\$ 113.91
Amount paid to: NYS Department of Health For Marriage Licenses	\$ 90.00
Total State, County & Local Revenues for DECEMBER 2014:	\$ 2,101.00

RESOLUTION 35-2015

ACCEPT DECEMBER 2014 TOWN CLERK'S MONTHLY REPORT

On motion of Councilman Rothrock, seconded by Councilwoman Rychlicki the following resolution was ADOPTED – Aye – Pangrazio, Rothrock, Rychlicki, Bickford, Anderson Nay-0 Absent – 0
RESOLVED, that the Town Clerk's December 2014 monthly report be approved as presented.

OLD BUSINESS

RESOLUTION 36-2015

ZONING CHANGE – VALLEY SAND AND GRAVEL

On motion of Councilwoman Rychlicki, seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0
RESOLVED, that the Town Board approves the application for change of zoning from Valley Sand and Gravel from agricultural and rural residential (R-R) to Heavy Industrial (I-2) for the following described property: All that tract or parcel of land situate in the Town of Caledonia, County of Livingston, State of New York presently owned by Valley Sand & Gravel, Inc., Tax Map Parcel # 23-1-14, located on River Road and Route 5, as shown on the map prepared by Continental Placer, Inc. dated October 2, 2008 as part of the zoning change application.

NEW BUSINESS

RESOLUTION 37-2015

LEASE AGREEMENT WITH CALEDONIA RIFLE & GUN CLUB

On motion of Councilman Rothrock, seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Anderson, Rychlicki, Bickford, Rothrock Nay-0 Absent – 0
RESOLVED, that the Supervisor is authorized to sign the lease agreement with the Caledonia Rifle and Pistol Club for the year 2015 and the annual rent is set at \$1000.00 for the year.

RESOLUTION 38-2015

LOCAL LAW No. 1 FOR 2015

On motion of Councilman Bickford, seconded by Councilman Anderson the following resolution was ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0
RESOLVED, PLEASE TAKE NOTICE, that the Town Board of the Town of Caledonia, after holding a public hearing, Thursday, January 8th, in the year 2015, and after review and approval at their January 15th, 2015 meeting has adopted the following Local Law:

Local Law No. 1 for the Year 2015, A Local Law to amend the Code of the Town of Caledonia Zoning Law and Map.

SECTION 1. The Zoning Law and Map of the Town of Caledonia is hereby changed from agricultural and rural residential (R-R) to Heavy Industrial (I-2) for the following described property: All that tract or parcel of land situate in the Town of Caledonia, County of Livingston, State of New York presently owned by Valley Sand & Gravel, Inc., Tax Map Parcel # 23-1-14, located on River Road and Route 5, as shown on the map prepared by Continental Placer, Inc. dated October 2, 2008.

SECTION 2. Section 130-5 (Zoning Map) is hereby amended to extend the boundaries of the Heavy Industrial District (I-2) to include the aforementioned Tax Map Parcel # 23-1-14 in its entirety.

SECTION 3. If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Caledonia hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 4. All Ordinances, Local Laws and parts thereof inconsistent with this Local Law and part thereof inconsistent with this Local Law are hereby repealed.

SECTION 5. This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

RESOLUTION 39-2015

2015 HIGHWAY RULES AND REGULATIONS

On motion of Councilwoman Rychlicki, seconded by Councilman Bickford the following resolution was

ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent -0 Nay-0

RESOLVED, that the Town Board approves the 2015 Highway Rules and Regulations.

RESOLUTION 40-2015

2015 NON-HIGHWAY RULES AND REGULATIONS

On motion of Councilman Rothrock, seconded by Councilman Anderson the following resolution was

ADOPTED- Aye- Pangrazio, Anderson, Rychlicki, Bickford, Rothrock Nay-0 Absent - 0

RESOLVED, that the Town Board approves the 2015 Non-Highway Rules and Regulations.

RESOLUTION 41-2015

FUND BALANCE POLICY

On motion of Councilman Anderson, seconded by Councilman Rothrock the following resolution was

ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent -0 Nay-0

RESOLVED, that the Town Board adopts the following Fund Balance Policy.

Town of Caledonia **Fund Balance Policy**

BACKGROUND:

The Governmental Accounting Standards Board (GASB) has issued Statement 54, Fund Balance and Governmental Fund Type Definitions, which will be required to be incorporated into the Town's financial statements for the year ending December 31, 2014.

The Government Finance Officers Association (GFOA) recommends that governments establish a policy on the level of unrestricted fund balance that should be maintained in the general fund.

DEFINITIONS:

GASB has replaced the earlier reserved and unreserved fund balance classifications with the following ones:

Nonspendable - Consists of assets that are inherently nonspendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and principle of endowments.

Restricted - Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.

Committed- Consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest decision-making authority before the end of the fiscal year, and the same level of formal action is required to remove the constraint.

Assigned - Consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance.

Unassigned - Represents the residual classification for the government's general fund, and could report a surplus or deficit. In funds other than the general fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for the specific purposed for which amounts had been restricted, committed or assigned.

POLICY:

1. When resources have been spent, the Town deems that they have been first spent from the highest constraint level available; therefore, they are considered to have been spent in the following order: restricted, committed, assigned and unassigned.
2. The Town will maintain an adequate fund balance in its General Fund, the General Outside Fund, and the Highway Fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures, or catastrophic events), to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The Town will endeavor to maintain unassigned fund balances in its General Town Wide Fund, Highway Fund and General Outside the Village Fund, of a minimum of twenty-five percent (25%) of regular operation expenditures, net of local sales tax distribution. This amount provides the liquidity necessary to accommodate the Town's uneven cash flow, which is inherent in this periodic tax collection schedule, and to respond to contingent liabilities.

PROCEDURE:

1. Once the Supervisor has reviewed the Town's financial statements for the prior year and has confirmed the fund balances of the General Fund, the General Outside Fund, the Highway Fund, the Town Supervisor will recommend to the Town Board the amounts and types of assignments for the fund balance to be included in the financial statement.
2. The Town Supervisor, as Budget Officer, shall make recommendations to the Board, regarding the use of the fund balance to be appropriated in the following year's budget based on this policy; specifically, he shall recommend an amount that will, in his estimation, retain the requisite/appropriate level of fund balances established in this policy.

RESOLUTION 42-2015

ELECTRICAL LICENSE

On motion of Councilwoman Rychlicki, seconded by Councilman Rothrock, the following resolution was ADOPTED- Aye- Pangrazio, Anderson, Rychlicki, Bickford, Rothrock Nay-0 Absent – 0

RESOLVED, that the application by Middle Department Inspection Agency for a license to perform electrical inspections, be approved for 2015.

RESOLUTION 43-2015

INTERMUNICIPAL AGREEMENT WITH LIVINGSTON COUNTY FOR TOOLS, MACHINERY, AND EQUIPMENT CONTRACT EXTENSION.

On motion of Councilman Bickford, seconded by Councilman Anderson the following resolution was ADOPTED- Aye- Pangrazio, Anderson, Rychlicki, Bickford, Rothrock Nay-0 Absent – 0

RESOLVED, that Supervisor Pangrazio is authorized to sign the Contract Extension for the Intermunicipal Agreement with Livingston County for the use of County owned machinery, tools equipment and service sharing.

RESOLUTION 44-2015

ADVERTISEMENT FOR HIGHWAY POSITION

On motion of Councilman Bickford, seconded by Councilman Anderson the following resolution was

ADOPTED- Aye- Pangrazio, Anderson, Rychlicki, Bickford, Rothrock Nay-0 Absent – 0

RESOLVED, that Highway Superintendent Mark Schroeder is authorized to advertise in the Genesee Valley Pennysaver for the upcoming opening in the Highway Department due to the retirement of James Sawyer.

REVIEW OF SUPERVISORS REPORT – DECEMBER 2014

The Board Members have received via e-mail prior to the board meeting copies of the Monthly Supervisor’s Report which includes up to date Trial Balances and Budget to Actual revenues and expenditures and trial balances for December 2014. All Board Members signed off on all the reports.

AUDIT OF ABSTRACT OF PAID VOUCHERS AND TRIAL BALANCES

The Board audited the Abstract of paid Vouchers and trial balances for December 2014.

RESOLUTION 45-2015

PAYMENT OF BILLS

On motion of Councilman Anderson, seconded by Councilwoman Rychlicki the following resolution was

ADOPTED- Aye- Pangrazio, Rychlicki, Rothrock, Bickford, Anderson Absent –0 Nay-0

RESOLVED, that the bills be paid in the following amounts:

GENERAL FUND A – Voucher #'s 1 – 8, 10-24	\$ 12,969.77
GENERAL FUND B – Voucher #'s 9	\$ 125.00
HIGHWAY FUND DB – Voucher #'s 1-13	\$ 19,503.33
GRAND TOTAL	\$ 32,598.10

On motion to adjourn by Councilman Rothrock, seconded by Councilman Anderson and carried by all, the board meeting was adjourned.

Respectfully Submitted,
Laurie Sattora
Town Clerk