

Regular Monthly Meeting
Caledonia Town Board
September 14, 2017

The Regular Monthly Meeting of the Town Board of the Town of Caledonia was held on September 14, 2017 at 7:00 P.M., at the Town Hall, 3109 Main Street, Caledonia, NY.

Supervisor Pangrazio called the meeting to order and led in the Pledge of Allegiance and asked for a moment of silence in remembrance of September 11, 2001.

PRESENT:

Supervisor	Daniel Pangrazio
Councilwoman	Pamela Rychlicki
Councilman	Mark Rothrock
Councilman	Todd Bickford
Town Clerk	Laurie Sattora

ABSENT: Councilman Tim Anderson-Entered the meeting at 7:17 P.M.

OTHERS:

Attorney Peter Skivington, Code Enforcement Officer Tom Perkins, Highway Superintendent Mark Schroeder, Julie Welch, Gail Milner, Richard Thomas, Donald McKay, Dallas Miller

RESOLUTION 123-2017

APPROVAL OF AUGUST 10, 2017 MINUTES

On motion of Councilman Bickford seconded by Councilman Rothrock the following resolution was

ADOPTED- Aye- Pangrazio, Rychlicki, Bickford, Rothrock Absent- Anderson Nay-0
RESOLVED, that the minutes of August 10, 2017 be approved as presented.

RESOLUTION 124-2017

APPROVAL OF AUGUST 22, 2017 MINUTES

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

ADOPTED- Aye- Pangrazio, Rychlicki, Bickford, Rothrock Absent- Anderson Nay-0
RESOLVED, that the minutes of August 22, 2017 be approved as presented.

OPEN FORUM

CALEDONIA LIBRARY ASSOCIATION

Library President Gail Milner introduced Dallas Miller, Dick Thomas, and Don McKay who are new Library Board Trustee members. Gail stated that the Library Board is all new except for Joanne Crosman who is now serving as the Vice President. Dallas Miller is Secretary, Karen Yorks Treasurer, Joan Robinson Corresponding Secretary, and Cenna Clements, Mary Ranous, Dick Thomas and Don McKay are all Board Members. The Library Board wanted to thank the Town for its continued financial support and how vital it is for the Library's future to work with the Town, Village, and School. Gail updated the Board that it is going to move forward with the renovation addition project for the Library and that they have currently over \$381,000.00 for the future construction project. The Board is currently looking into grants, investment opportunities through Tompkins Financial and doing some Fundraising projects with the Museum.

Supervisor Pangrazio thanked Library President Gail Milner and the Board Members for coming to our meeting and for discussing the Library finances they have available. Supervisor Pangrazio stated that the Library is the cornerstone of Caledonia and a vital part of our community.

ANNOUNCEMENTS/COMMUNICATIONS

Supervisor Pangrazio reviewed the following announcements and communications that he has received:

- Livingston County Development Letters to applicants for grant funding. The Caledonia Library, Big Springs Museum, Village Inn, and Heather Hunt all received approval.
- Livingston County Planning Board Agenda.
- Quilt Guild Presentation on September 23, 2017 to Veterans.
- Letter from Debbie Davis about replacing the Commons sign in the center of the Village with a new double sided digital sign that can scroll messages throughout the day.
- Report from Livingston County Dog Control.

OPEN PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 3 FOR 2017-7:15 P.M.

Supervisor Pangrazio declared the Public Hearing open at 7:15 P.M. for Proposed Local Law No. 3 For 2017 and asked for comments or questions from those in attendance and the Board.

Town Clerk Laurie Sattora read the Notice of Hearing for the record.

CODE REVISIONS

Supervisor Pangrazio briefly reviewed Proposed Local Law No. 3 with the Board and those in attendance.

A comprehensive review of our Town Code began this past spring to identify conflicts, inconsistencies and areas that are in need of updating. A committee consisting of Supervisor Daniel Pangrazio, Code Enforcement Officer Tom Perkins, Planning Board Co-Chair Joan Crunden and Town Clerk Laurie Sattora have been meeting to review the Town Code on a consistent basis.

Town Board members received on August 3, 2017 via e-mail for discussion at the August 10, 2017 board meeting. Proposed Local Law No. 3 For 2017 was introduced to the Town Board at the August 10th meeting.

Notice of said Public Hearing was duly published in the Livingston County News on August 24th with same being posted on same date at the Town Hall, and on the web site at www.townofcaledonianyny.com

A Zoning Referral Form was submitted to the Livingston County Planning Board for review on August 10th. Livingston County Planning Board reviewed the proposed Local Law and recommended "Approval" of the proposed law.

In addition, the following interested parties were notified of the September 14th public hearing:

Towns of Avon
Towns of Rush
Towns of York
Towns of LeRoy
Towns of Pavilion
Towns of Wheatland
Village of Caledonia
Genesee County Planning Department
Monroe County Planning Department

Attorney Skivington explained to those in attendance that one of the key reasons that we are proposing to amend section 130-11 of the Code is that Mr. & Mrs. Daniel Welch who live at

3956 Caledonia Avon Road in the Town of Caledonia are requesting to open a Special Event Venue in the Barn on their property. As our Code currently exists the Special Event Venue didn't fall in any category of our Code.

Attorney Skivington stated that the Zoning Referral Form was submitted to the Livingston County Planning Board for review on August 10th. Livingston County Planning Board reviewed the proposed Local Law and recommended "Approval" of the proposed law.

Attorney Skivington asked Mrs. Welch if she and Mr. Welch had reviewed the proposed Local Law amendments that had been sent to them and if they had any questions or concerns.

Mrs. Julie Welch stated that they are very pleased with the proposed Local Law.

Supervisor Pangrazio asked if any board Member had any comments or questions or any one present. No one present or any Board Members had any questions so Supervisor Pangrazio left the hearing open.

DEPARTMENTS/COMMITTEES

ATTORNEY PETER SKIVINGTON

Attorney Skivington discussed with the Board that two Article 7's have been filed against the Town. They are Five Star Bank and Mr. James Sickles. Attorney Skivington stated that Assessor Tami Snyder is very prepared with all of her documentation supporting the assessments and he is hoping that he can resolve these without having to go to court.

CODE ENFORCEMENT OFFICER TOM PERKINS

Code enforcement Officer Tom Perkins has been contacted by the NYS Highway regarding AGL and that it's landscaping and sign are in the state Right- Of- Way. The State is considering charging AGL for the use of the State Right of Way if they do not move these items.

OPEN PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 4 FOR 2017-7:30 P.M.

Supervisor Pangrazio declared the Public Hearing open at 7:30 P.M. for Proposed Local Law No. 4 For 2017.

Supervisor Pangrazio asked those in attendance and the Board if they had any questions or comments. No one was present and the Board had no comments at this time. Town Clerk Laurie Sattora read the Notice of Hearing for the record.

SUPERVISOR PANGRAZIO-TAX CAP OVERRIDE

Supervisor Pangrazio gave a brief overview of the Local Law. This Local Law is to override the limit on the amount of real property taxes that may be levied by the Town of Caledonia, County of Livingston pursuant to General Municipal Law §3-c, and to allow the Town of Caledonia, County of Livingston to adopt a Town Budget for the fiscal year 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Notice of said Public Hearing was duly published in the Livingston County News on August 24th with same being posted on same date at the Town Hall, and on the web site at www.townofcaledoniany.com.

In addition, the Village of Caledonia was notified of the September 14th public hearing:

BUILDING AND GROUNDS – SUPERVISOR PANGRAZIO

Supervisor Pangrazio updated the Board that the driveway out behind the Town Hall and parking area are now complete and we have received many compliments on how nice it looks.

PROPERTY TRANSFER FOR TOWN HALL

Supervisor Pangrazio asked our Code Enforcement Officer if he would get the proper signatures on the Mylar for the property acquisition for the Town Hall.

TRAFFIC SAFETY – HIGHWAY SUPERINTENDENT MARK SCHROEDER

Highway Superintendent Mark Schroeder updated the Town Board on the most recent Traffic Safety Meeting. The board had a discussion on the speed limit surrounding the area by the Geneseo Central School. Highway Superintendent Mark Schroeder stated that is the only school zone in our area that does not have a reduced speed limit.

HIGHWAY DEPARTMENT-MARK SCHROEDER

Highway Superintendent Mark Schroeder updated the Town Board on the projects that the Highway Department has been working on. Over the past month.

- The Highway Department has worked on the parking area behind the Town Hall
- Installed new pipe on a portion of Sand Hill Road near wet land area and a DEC Permit was required.
- Replaced Pipes that had caved in on Cider Street and DeNoon Road.
- Worked for Livingston County in Avon.
- Helped the Town of York on River Road.
- The roadside mowing mostly caught up and the Highway Department is working on the area surrounding the Recycle Barn.

TOWN CLERK’S REPORT AUGUST 2017

TOWN CLERK-LAURIE SATTORA

Town Clerk Laurie Sattora submitted her monthly report to the Town Board for the month of August 2017.

TOWN CLERK’S REPORT AUGUST 2017

Total Local Shares Remitted to Town Supervisor	\$ 2,402.79
Amount paid to: NYS Ag. & Markets Animal Population Control Fund	\$ 88.00
Amount paid to: NYS Department of Health – Marriage License	\$ 45.00
Amount paid to: NYS Department of Environmental Conservation – ACH (Electronically)	\$ 2,421.71
Total State, County & Local Revenues for August 2017	\$ 4,957.50

RESOLUTION 125-2017

ACCEPT AUGUST 2017 TOWN CLERK’S MONTHLY REPORT

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

ADOPTED – Aye – Pangrazio, Anderson, Rychlicki, Bickford, Rothrock Nay-0 Absent –0
RESOLVED, that the August 2017 Town Clerk’s monthly report was approved as presented.

7:45 P.M. - CLOSE PUBLIC HEARING LOCAL LAW No. 3 FOR 2017-CODE AMENDMENTS

Supervisor Pangrazio asked if anyone from the public or any Board Members would like to speak on the Proposed LOCAL LAW No. 3 For 2017. No one present had any questions or concerns, so Supervisor Pangrazio closed the public hearing.

NEW BUSINESS

RESOLUTION 126-2017

RENEWAL OF COUNTY SNOW AND ICE AGREEMENT WITH LIVINGSTON COUNTY

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

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

RESOLVED, that pursuant to Highway Law Section 135-a providing for snow and ice control on county roads within the Town, the Supervisor and the Town Highway Superintendent be and they are directed to execute a contract with the County Highway Superintendent of the County of Livingston for the Town to undertake and perform snow and ice control on County Roads located in the Town for the period beginning October 15, 2017 and ending October 14, 2018 at the rates therein provided.

LOCAL LAW NO. 3 FOR 2017 SEQR

Attorney Skivington asked the Town Board if it was their intention to move forward with the adoption of Proposed Local Law No. 3 For 2017 amending the Code. The Board was in favor of the adoption of Proposed Local Law No. 3 For 2017. Attorney Skivington explained that changes to zoning are: Type 1 actions for the purpose of SEQR. Attorney Skivington Reviewed Part 1, 2, 3 of the EAF with the Town Board.

RESOLUTION 127-2017

DECLARE TOWN OF CALEDONIA LEAD AGENCY

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

ADOPTED Ayes – Supervisor Pangrazio
Councilman Rothrock
Councilman Anderson
Councilwoman Rychlicki
Councilman Bickford

Nay – 0

Absent - 0

RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) procedures, the Town Board of the Town of Caledonia has prepared an environmental assessment of the significance of and potential impact of the amendments to the Town of Caledonia Town Codes. The purpose of this action is to amend outdated sections of the Town of Caledonia Town Code. The Town Board hereby declares themselves "**Lead Agency**" with respect to SEQR for the purpose of conducting a SEQRA review for proposed **Local Law No. 3 For 2017**.

RESOLUTION 128 – 2017

ACCEPT FINDINGS OF PART I OF LEAF

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

ADOPTED Ayes – Supervisor Pangrazio
Councilman Rothrock
Councilman Anderson
Councilwoman Rychlicki
Councilman Bickford

Nay – 0

Absent - 0

RESOLVED, that the Town Board of the Town of Caledonia has reviewed the Part 1 of the Long Environmental Assessment Form prepared by Town Clerk Laurie Sattora and find it to be acceptable.

RESOLUTION 129- 2017

ACCEPT FINDINGS OF PARTS 2 AND 3 OF THE EAF

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

ADOPTED Ayes – Supervisor Pangrazio
Councilman Rothrock

Councilman Anderson
Councilwoman Rychlicki
Councilman Bickford

Nay – 0
Absent - 0

RESOLVED, that the Town Board of the Town of Caledonia has reviewed the Parts 2 and 3 of the Environmental Assessment Form prepared by Chatfield Engineers, P.C. and finds it to be acceptable.

RESOLUTION 130-2017
NEGATIVE DECLARATION

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

ADOPTED Ayes – Supervisor Pangrazio
Councilman Rothrock
Councilman Anderson
Councilwoman Rychlicki
Councilman Bickford

Nay – 0
Absent - 0

RESOLVED, that the Town Board of the Town of Caledonia hereby issues a Negative Declaration under SEQR for the project, and hereby closes out the SEQR process.

RESOLUTION 131-2017
DIRECT SUPERVISOR TO SIGN SEORA FORMS

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

Ayes – Supervisor Pangrazio
Councilman Rothrock
Councilman Anderson
Councilwoman Rychlicki
Councilman Bickford

Nay – 0
Absent - 0

RESOLVED, that the Supervisor is authorized to sign the Full Environmental Assessment Forms regarding proposed Local Law No. 3 For 2017; and Further resolved that Town Clerk Laurie Sattora is to file a Negative Declaration in the Environmental News Bulletin that the Proposed Local Law will not have a significant adverse environmental impact.

RESOLUTION 132-2017
ADOPTION OF LOCAL LAW No. 3 FOR 2017

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

ADOPTED Ayes – Supervisor Pangrazio
Councilman Rothrock
Councilman Anderson
Councilwoman Rychlicki
Councilman Bickford

Nay – 0
Absent - 0

RESOLVED, that whereas at a meeting held on August 10, 2017 a proposed Local Law was introduced. A Local Law amending Chapters 34 Amusements, Chapter 42 Bed and Breakfast Establishments, Chapter 130 Article I General Provisions Section 130-8 Definitions,

Article II R-R Section 130-11 Conditional Uses, Article III R-1 Residence Districts Section 130-16 Prohibited Uses, Article XV Special Regulations, Section 130-85 and Section 130-85.1 of the Code of the Town of Caledonia. After holding a public hearing on September 14, 2017 as required by Town Law and having complied with the requirement of notice and publication to consider such Local Law, the Town Board of the Town of Caledonia does hereby adopt such Local Law as Local Law No. 3 For The Year 2017.

Section 1. Name of Local Law

This Local Law shall be referred to as "A Local Law amending Chapters 34 Amusements, Chapter 42 Bed and Breakfast Establishments, Chapter 130 Article I General Provisions Section 130-8 Definitions, Chapter 130 Article II R-R Section 130-11 Conditional Uses, Chapter 130 Article III R-1 Residence Districts Section 130-16 Prohibited Uses, Chapter 130 Article XV Special Regulations, Section 130-85 and Section 130-85.1 of the Code of the Town of Caledonia."

Section 2. Findings and Intent

The Town of Caledonia seeks to amend and modify provisions of the existing code in order to address needs within the town that have not already been adequately addressed by the code.

Section 3. Authority

This Local Law is enacted pursuant to the authority of Section 10 of the New York State Municipal Home Rule Law.

Section 5. Severability

If any part or provision of this local law is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part of provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this law even without such part of provision or application.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State pursuant to the New York State Municipal Home Rule Law.

ATTORNEY SKIVINGTON

Attorney Skivington addressed Mrs. Welch and told her that now that the Town has passed this Local Law amending the Code that if they would like to go forward with having a rural event venue on their property it is their responsibility to contact Katie Hillman the Planning Board secretary to be placed on the agenda with the Planning Board for Site Plan Review of the proposed rural event venue. Attorney Skivington also stated that the Planning Board will have to send this proposal to the Livingston County Planning Board, NYS DOT. Attorney Skivington also stated that after the Planning Board receives comments from the Livingston County Planning Board the Town Planning Board shall have to hold a Public Hearing on the proposal.

2018 BUDGET REMINDER TENTATIVE BUDGET MEETING – SEPTEMBER 28, 2017 5:00 P.M.

RESOLUTION 133-2017
MOVED AGENDA ITEMS

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 the agenda order be changed.

RESOLUTION 134 -2017

NEW POSITION DUTIES STATEMENT FOR MOTOR EQUIPMENT OPERATOR PT FOR LIVINGSTON COUNTY PERSONNEL CIVIL SERVICE LAW REQUIREMENTS

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

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

RESOLVED, that for Livingston County Personnel Civil Service Law Requirements the Town of Caledonia shall rename the part-time Laborer positions to Motor Equipment Operator positions in the Highway Department.

RESOLUTION 135-2017

CAL-MUM QUILT GUILD PROCLAMATION

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

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



8:00 P.M.-CLOSE PUBLIC HEARING LOCAL LAW No. 4 FOR 2017-TAX CAP OVERRIDE

Supervisor Pangrazio asked if any Board Members or anyone from the public would like to speak on the Proposed **LOCAL LAW No. 4 for 2017**. No one present had any questions or concerns, so Supervisor Pangrazio closed the public hearing.

RESOLUTION 136-2017

OVERRIDING TAX CAP FOR 2018 BUDGET

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

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

RESOLVED, that due to uncertain expenditures mandated by law and uncertain expenditures and revenues controlled by the County and State the Town Board will override the Tax Cap for the 2018 Budget.

RESOLUTION 137-2017

ADOPTION OF LOCAL LAW No. 4 FOR 2017 – TAX CAP

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

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

RESOLVED, whereas at a meeting held on August 10, 2017 a proposed Local Law was introduced. A Local Law to override the tax levy limit established in General Municipal Law §3-c. After holding a public hearing on September 14, 2017 as required by Town Law and having complied with the requirement of notice and publication to consider such Local Law, the Town Board of the Town of Caledonia did adopt such Local Law as **LOCAL LAW No. 4 FOR 2017**.

SECTION 1: LEGISLATIVE INTENT. It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Caledonia, County of Livingston pursuant to General Municipal Law §3-c, and to allow the Town of Caledonia, County of Livingston to adopt a Town Budget for the fiscal year 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

The Town of Caledonia is concerned about uncertainties in the existing Tax Cap Law, including how uncertain expenditures mandated by law and uncertain expenditures and revenues controlled by the County and State interact with the Tax Cap. The Town Board is obligated to prepare a responsible budget, which meets the Town’s mandated obligations and provides beneficial services, while minimizing the tax burden on the citizens of Caledonia.

SECTION 2: AUTHORITY. This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a Local Law approved by a vote of sixty percent (60%) of the Town Board.

SECTION 3: TAX LEVY LIMIT OVERRIDE. The Town Board of the Town of Caledonia, County of Livingston is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the limit that is specified in General Municipal Law §3-c.

SECTION 5: EFFECTIVE DATE. This Local Law shall take effect immediately upon filing with the Secretary of State.

Copies of this Local Law are available at the Caledonia Town Office, 3109 Main Street, Caledonia, New York during normal business hours.

REVIEW OF SUPERVISORS REPORT

All 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. 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.

RESOLUTION 138-2017

PAYMENT OF BILLS

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 bills be paid in the following amounts:

GENERAL FUND A – Voucher #'s 257-278-280-283	\$ 16,215.19
B FUND – Voucher # 279	\$ 254.00
HIGHWAY FUND DB – Voucher #'s 139-156	\$ 13,467.01
GRAND TOTALS	\$ 29,936.20

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

Respectfully Submitted,
Laurie Sattora
Town Clerk