

*Village Board Meeting Minutes
November 1, 2011*

The Village of Caledonia Board of Trustees held a meeting on Tuesday, November 1, 2011 at 6:30 p.m. at the Village Office.

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

Local Law #2-2011 – amending Article XV Nonconforming Uses §215-67 Discontinuance. Deputy Clerk-Treasurer Nora Brunette read the legal notice. A **motion** was made by Trustee O'Donoghue to open the Public Hearing at 6:32 p.m.; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

Mayor Caluorie discussed amending §215-67: When a non-conforming use has been discontinued for a period of not less than one year, it shall not be reestablished, and the future use shall be in conformity with the provisions of this chapter. However, incases where there has been a cessation of the non-conforming use for a period in excess of one year without the intent to abandon the non-conforming use during that time period, said non-conforming use may be permitted upon application to the Village Board of Trustees upon a showing of good cause for the cessation of such non-conforming use. In no event, however, can the non-conforming use be continued or reinstated if at any time the structure was used in conformity with the zoning code or was altered in any way for use in any manner other than the non-conforming use.

A **motion** was made by Deputy-Mayor DiLiberto to approve the October 4, 2011 Board Meeting Minutes; Trustee O'Donoghue seconded the motion.

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

NAY: None

Bills were audited and ordered paid:

Abstract #395, General \$17,314.63; Water \$52.09

Abstract #250, Water \$14,947.37

Abstract #251, Water \$952.60

Abstract #063, Capital \$1,240.80

Abstract #396, General \$27,549.84, Water \$5,445.49

A **motion** was made by Trustee Truman to approve the bills paid, Trustee O'Donoghue seconded the motion.

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

NAY: None

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A **motion** was made by Deputy-Mayor DiLiberto to approve a payment to the NYS Comptroller's Office \$5,591.25 for September court fees; Trustee O'Donoghue seconded the motion.

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

NAY: None

Chief Dan Chapman presented the Police Report for the month of October. There were 92 service calls, 52 traffic tickets, three town assists, 99 property checks, one accident report, five arrests and one warrant. Chief Chapman discussed a grant the village received from the vest partnership. The grant is a matching fund grant 50-50. A **motion** was made by Trustee O'Donoghue to amend the budget to move \$1,800 from Sidewalks A5410.400 to Police Equipment A3120.200; Trustee Truman seconded the motion.

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

NAY: None

A **motion** was made by Deputy-Mayor DiLiberto to accept the Police Report; Trustee O'Donoghue seconded the motion.

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

NAY: None

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

Permits were issued for a deck and fence. Completed projects included a sunroom. Violation notices were sent for a fire safety inspection and a stop work order was issued. Mr. Perkins attended a two 6-hour building code classes, "Concrete & Masonry Constructed" and "Inspection of Existing Public Assemblies". A **motion** was made by Trustee O'Donoghue to accept the report; Trustee Truman seconded the report.

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

NAY: None

Chris Buckley presented the DPW Report for the month of October. 7,896,000 gallons of water were pumped in October. Both bacteria samples were negative. All hydrants were serviced and snow markers installed. The meter vault heaters and sump pumps were also serviced. Leaf pickup has begun and the fall banners were hung. The village crew worked for the county on Middle Road and will be reimbursed for time. A **motion** was made by Trustee O'Donoghue to accept the report; Deputy-Mayor DiLiberto seconded the motion.

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

NAY: None

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Downtown Street Lighting Replacement Project – the project was originally bid on September 20, 2011. The village board rejected and rebid the project on October 17, 2011. One bid was received from M.L. Cacamise Electric Co. The base bid amount was \$251,444. The alternate bid for surface mounted poles was \$257,494. A **motion** was made by Deputy-Mayor DiLiberto to accept the base bid \$251,444; Trustee O'Donoghue seconded the motion.

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

NAY: None

Application for Amusement Area Permit – a **motion** was made by Trustee O'Donoghue to approve Aileen Ayers permit for Hometown Holidays being held on December 2nd and 3rd. Trustee Truman seconded the motion.

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

NAY: None

Noise Ordinance – tabled.

Public Comment period – no persons in attendance this evening spoke. Deputy-Mayor DiLiberto made a **motion** at 7:45 p.m. to close the Public Hearing; Trustee Truman seconded the motion.

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

NAY: None

Resolution and order enacting Local Law #2-2011: the following resolution was offered by Deputy-Mayor DiLiberto with Trustee O'Donoghue moving for adoption:

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Caledonia on October 4, 2011 for a public hearing to be held on November 1, 2011 at the Caledonia Village Hall, 3095 Main Street, Caledonia, New York, to hear all interested parties on a proposed Local Law amending Article XV Nonconforming Uses, §215-67 Discontinuance.

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 November 1, 2011 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, the Board of Trustees, after due deliberation, finds it in the best interest of said Village to adopt Local Law No. 2.

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NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Caledonia hereby adopts said Local Law No. 2 of 2011 a Local Law amending Article XV Nonconforming Uses, §215-67 Discontinuance.

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 and Truman

NAY: None

There being no further business, a motion to adjourn was made at 7:50 p.m. by Trustee Truman; Trustee O'Donoghue seconded the motion.

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

NAY: None

Ann Marie Grattan
Village Clerk-Treasurer