

**Village Board Meeting Minutes
February 4, 2020**

The Village of Caledonia Board of Trustees held a meeting on Tuesday, February 4, 2020 at 6:30 p.m. at the Village Office.

Members Present: Mayor Scott DiLiberto, Deputy-Mayor Jerry O'Donoghue, Trustee Greg Boilard, Janet Cappotelli and Sarah Santora. Also present was Water & Street Superintendent Chris Buckley, Code Enforcement Officer Michael Burnside and Village Attorney Ed Russell. Absent was Police OIC Jared Passamonte.

Mayor Scott DiLiberto started the meeting with a moment of silence in memory of Barry Ganzhorn, MacKay Park Supervisor since January of 2011. A Memorial Resolution will be presented at the March meeting.

A **motion** was made by Trustee Boilard to approve the January 7, 2020 Board Meeting; Trustee Santora seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora
NAY: None

A **motion** was made by Deputy-Mayor O'Donoghue to approve the following Budget Transfers; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora
NAY: None

A1440.400 Engineering \$765 from A5110.400 Street Contractual
A7550.400 Celebrations \$260.78 from A5110.400 Street Contractual

A **motion** was made by Trustee Cappotelli to approve the following Budget Amendments; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora
NAY: None

H0599 Fund Balance/H9950.900 \$50,802
A3089 State Aid/A1110.400 Court Contractual \$1,410

Bills were audited and ordered paid:

Abstract #456, Water \$11,791.59
Abstract #639, General \$1,766.38 & Water \$628.14
Abstract #0, General \$32,048.14 & Water \$3,012.90
Abstract #457, Water \$496.00

A **motion** was made by Deputy-Mayor O'Donoghue to approve the bills paid; Trustee Santora seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora
NAY: None

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Public Forum: Cathy Graham, 135 North Street – thanked the Village Board for working with the owners of 3001 Main Street to have vehicles removed near the road. Mike Burnside and Ed Russell will review Chapter 144 of the Village Code, Outdoor Storage of Materials, to amend the local law regarding residential yard debris.

Rick MacKay, 3113 Main Street -discussed maintaining the business district buildings appearances and keeping the structures sound. Complaints specific to a particular building should be directed to the Code Enforcement Officer, Mike Burnside.

Water & Street Superintendent Chris Buckley presented the January DPW Report. Water gallons pumped was 5,274,000 and both bacteria tests were negative. New water meters continue to be installed. Total to date is 479. Streets includes snow and ice control with 75 tons of salt used. Street name signs are being installed. The sweeper was overhauled with several components. The new DPW addition was inspected after the rough electric and insulation was completed. A **motion** was made by Deputy-Mayor O'Donoghue to accept the report; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

West Main Street Water Tank – A **motion** was made by Deputy-Mayor O'Donoghue to approve MRB Group to prepare the bid specs for Project #0299.18001.000, the abandonment of the Main Street water tank; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

The bid will be prepared in March, with opening taking place in April for a tentative abandonment removal in June. The remaining engineering fees of approximately \$8,500 will be paid in the current fiscal year. The abandonment fees will be paid in the June 2020-May 2021 Water Budget.

Clerk-Treasurer Ann Marie Grattan presented the January Clerk Report. Submitted were Budget Status Reports for General, Water, Capital and Trust & Agency Funds, a list of revenues and expenditures, the Financial Report, Department Supervisors payroll and contractual expense reports and the Water Reconciliation Report. A **motion** was made Trustee Boilard to accept the report; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Mayor DiLiberto read the Police & SRO Reports for January. There were 70 calls for service, 23 parking tickets issued, 30 traffic tickets issued, nine Town of Caledonia assists, three accident reports and two arrests. The DWI Superbowl Crackdown Grant resulted in five tickets issued. Assisted the Avon Police Department with a larceny suspect in Caledonia that was taken into custody on Main Street. Five counterfeit \$100 bills were found on Brown Road in the village. Recruits Matt Adams and Brandon Moran will graduate from the academy on

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February 29, 2020. Meetings continue with the District Attorney's Office regarding Criminal Justice Reform. The Caledonia Police Department assisted with funeral detail for Barry Ganzhorn. The School Resource Report includes 11 district requests for police services, three out-of-building assists, one arrest, one juvenile criminal case cleared and seven classroom visits. Staff training was provided on the school video system. The two recruits were familiarized with the school buildings and grounds. Assistance was provided to the Livingston County Sheriff's Office testing key fobs. A survey was completed on unlisted phones in the school. The SRO chaperoned the semi-formal dance. A **motion** was made by Deputy-Mayor O'Donoghue to accept the reports; Trustee Santora seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Code Enforcement Officer Mike Burnside presented the January CEO Report. A building permit was issued for an upstairs alteration on Janet Street. Construction inspections were performed on Main and Lehigh Street and Park Place. A Certificate of Occupancy was issued for an addition on Ellen Place. The Department of State annual report was submitted. Meetings included the Village Planning Board, Village Court, Livingston County Economical Department regarding the 3154 State Street Grant and pre-construction on Keenan Place and Spring Street. Mike will research other village solar panel local laws to update the current Village of Caledonia Code Chapter 174. A **motion** was made by Deputy-Mayor O'Donoghue to accept the report; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Old Business – Mayor DiLiberto discussed the 2020 Mack Granite truck options. The stainless-steel body will be ordered bringing the total cost to \$200,274. Tree City USA annual recognition ceremony will be held in Albany on March 19th. Two representatives can attend. Mayor DiLiberto has reached out to Alan Garrett to see if he'd like to attend representing the village. An out of state resident Linda Higby has contacted the mayor regarding an old tire collection day. The Town of Caledonia dump accepts old tires, \$2.50 without rims, \$5.00 with rims. The Livingston County Economic Development is seeking participants to form a Steering Committee. Mayor DiLiberto has reached out to Planning Board Member and Business Owner Jay Hunt to see if he'd like to represent our village. The Village of Caledonia is hosting the Village Association Dinner Meeting on Thursday, February 20th at the Caledonia Village Inn. The Caledonia Fire District Public Hearing to vote on a building reserve is on Tuesday, February 18, 2020.

Deputy-Mayor O'Donoghue offered the following Resolution with Trustee Santora moving for adoption:

WHEREAS, a grant, in the amount of \$1,410, was made available to the Village of Caledonia under the Justice Court Assistance Program.

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WHEREAS, such grant program funds are to be used to replace interior door locks with digital code entry security locks,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to accept the grant award of \$1,410 and that this resolution shall take effect immediately upon adoption.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Trustee Boilard offered the following Resolution with Trustee Cappotelli moving for adoption:

**REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE
REFORMS**

WHEREAS, while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS, the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS, the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS, drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS, arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS, cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS, municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

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NOW THEREFORE BE IT RESOLVED THAT the Village of Caledonia supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent

with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Village of Caledonia be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Patrick M. Gallivan and Assembly Member Marjorie L. Byrnes the New York State Conference of Mayors, and local media outlets.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

A **motion** was made by Deputy-Mayor O'Donoghue to accept Jennifer Ingerick's letter of resignation effective January 22, 2020; Trustee Santora seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

A **motion** was made by Deputy-Mayor O'Donoghue to hire Chris Lauffer as the Part-time Deputy-Clerk Treasurer at \$18.00 per hour; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Local Law No. 1-2020 – Deputy-Mayor O'Donoghue made a **motion** to schedule a Public Hearing for Tuesday, March 3, 2020 for Local Law 1-2020, Property Tax Levy Local Law; Trustee Cappotelli seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

The intent of this local law is to allow the Village of Caledonia to adopt a budget for the fiscal year commencing June 1, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

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Budget Workshops: a **motion** was made by Deputy-Mayor O'Donoghue to schedule Budget Workshops for the fiscal year 2020-2021 Budgets on March 1 and March 8 at 9:00 a.m.; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

A **motion** was made by Trustee Cappotelli to permit Mayor DiLiberto to sign the 2020 Livingston County Downtown Partnership Program Memorandum of Understanding; Deputy-Mayor O'Donoghue seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

There being no further business, a motion to adjourn was made by Deputy-Mayor O'Donoghue at 8:20 p.m.; Trustee Boilard seconded the motion.

AYE: Mayor DiLiberto, Deputy-Mayor O'Donoghue, Trustee Boilard, Cappotelli & Santora

NAY: None

Ann Marie Grattan

Village Clerk-Treasurer