

April 2, 2014

The regular meeting of the Village of Cassadaga was held on April 2, 2014 at 7:00 PM with Deputy Mayor Jeffrey Frick presiding. Trustees present included Ron Dechard, Mike Lehen, and Joshua Slaven. Also in attendance were Clerk/Treasurer Roxanne Astry, Deputy Clerk Angelica Martin, and Superintendent Tom Fetter. Absent: Mayor Lazarony.

RESOLUTION # 238

APPROVAL OF MINUTES FROM MARCH 19, 2014

Motion made by Trustee Lehen, second by Trustee Dechard to approve the minutes of March 19, 2014. VOTE: AYES 3, NAYS 0.

RESOLUTION # 239

APPROVAL OF MINUTES FROM MARCH 26, 2014 (SPECIAL MEETING)

Motion made by Trustee Slaven, second by Trustee Dechard to approve the minutes of March 26, 2014 Special Meeting. VOTE: AYES 3, NAYS 0.

RESOLUTION #240

ACCEPT AGENDA

A motion was made by Trustee Slaven, second by Trustee Dechard to approve the Agenda. VOTE: AYES 3, NAYS 0.

GUESTS:

Guests attending included Rudy Abersold, Loren Smith, John and Sue Sipos, Glenn Monacelli, Bill Astry, and Joan Josephson. Barry Wilcox and Gayle Wilcox arrived later in the meeting. Rudy Abersold attended to hear the budget information and to thank Tom Fetter for getting the Putnam Rd. lights fixed so quickly by Niagara Mohawk. He also wanted to say thank him for the wonderful job of snow removal this year. Rudy mentioned that there are about 3 Christmas trees in the village that need to be picked up. There is a rumor of a Chinese Restaurant going into where Nordy's was. He mentioned that there is a very large mess that was left there by the previous owner and he was wondering if the village could take care of it for the new owner. He feels it would be a good gesture to the new owner for him/her to not have to deal with it. Rudy stated that he is glad to see the Capital Water Project come to a close and is pleased that the board stayed with it and finally closed it. He would like the board to keep a grasp on the engineer for future problems or concerns. Rudy also wanted to address the brush pile. He was wondering if the board could look into stopping commercial tree services from dumping. He thought maybe a wood chipper should be purchased as well. It was stated that the commercial tree services shred their remains and that the issue we are having is with larger tree stumps and logs.

Loren Smith, speaking for/with Glenn Monacelli, wanted to address the basketball court concerns. He stated that he, along with other parent residents raised funds for putting in the basketball court originally. At the

time it was recommended that the court be sealed every 5 years, and it has been 11 years, so it is greatly needed. He hopes that the village will provide the upkeep of the court since so many parents and village residents took the time and energy to raise the funds 11 years ago. He feels sealing the court would protect their investment of the basketball court. Loren stated that Black Gold did the paving, and with a little research, he thinks it will cost \$1,000 - \$1,500 to seal. Trustee Frick mentioned that he has gotten one quote so far, but other places are waiting for the snow to melt to take a look at the court first.

Joan attended for the budget information and to ask about the swans. She wondered if anyone had heard anything new from the DEC about the swans. It was mentioned that it was heard that the state is tabling the swan issue for now, but could come up again in the future.

John Sipos wanted to let everyone know that the Library Walk-A-Thon will start and finish at the library. It will be on May 24th. He would also like for the village to have Historical Markers.

ATTORNEY MIKE NORRIS' REPORT: ABSENT

MAYOR LAZARONY'S REPORT: (READ BY DEPUTY MAYOR FRICK)

- Attorney Norris fees do not include the bill for the Employee Handbook. There was a discussion held and it was decided to table the issue of payment to the attorney until the full board was present.

RESOLUTION #241

TO TABLE THE ATTORNEY BILL FOR THE EMPLOYEE HANDBOOK UNTIL ALL BOARD MEMBERS ARE PRESENT

A motion was made, to table the bill, by Trustee Lehnen, second by Trustee Slaven. VOTE: AYES 3, NAYS 0.

TRUSTEE FRICK'S REPORT:

- He asked Tom if the stop sign was paid for. Answer of yes.
- He asked if the stop sign and warning sign were put up yet. The answer was not yet because Tom has been busy at the water building due to some issues.
- Jeff asked Tom if he could pick up the Christmas trees that Rudy Abersold was talking about. Tom said he would get it done.

The board then moved into the Public Budget Hearing at 7:30. Clerk/Treasurer Roxanne Astry read the budget amounts and impact statement. She stated that the water rates will remain the same, with a \$95 debt service fee and \$3.75/1000 usage rate. Rudy Abersold wanted to know the exact amount that the Capital Water Project cost the village. Roxanne Astry told him the total cost was \$4,034,565.

RESOLUTION #242

TO CLOSE THE PUBLIC BUDGET HEARING

A motion was made by Trustee Frick, second by Trustee Dechard, to close the hearing. VOTE: 3 AYES, 0 NAYS.

RESOLUTION #243

TO ADOPT THE NEW BUDGET

A motion was made by Trustee Frick, second by Trustee Dechard to accept the new budget with a tax rate of \$3.84 with total taxes to be raised of \$123,687.28 with appropriated cash surplus \$79,312.72. VOTE: AYES 3, NAYS 0.

Barry Wilcox arrived later in the meeting, wanting to address a noise issue. He lives close to the Red House on Frisbee Road and has been experiencing noise disturbances on the weekends. The business holds weddings and parties, which bring in DJ's and bands, bringing loud music and noise often extending late into the night (midnight – 2am). The parties are often carried out into the adjacent parking lot, making the noise even louder from yelling and partying by guests. Also, he stated that there have been many instances where the guests will light Chinese lanterns, which drift over his property. These create a lot of litter and create a fire hazard with the woods being so close. He also stated that he mentioned this to the mayor on March 31st and was told that the village could write a letter. Barry was then confronted by Mr. Wickmark this evening, in public, about him going to the board instead of talking to him first. Barry was a bit upset about this, as he did not want a confrontation with Mr. Wickmark until he knew details on the noise ordinance and what could be done. He wanted to board to know about this first, before Mr. Wickmark.

CLERK ASTRY'S REPORT:

- She informed the board that she spoke with Kelly at Fiscal Advisors on the line items for Form E. She stated that they had to close out all the line items, making them at a \$0 balance. The amounts are going into contingency, with a total of \$1,013,000.
- Tom Becker from Rural Development talked to her about Employee Equal Rights. He said that the village needs to put, on the village website, that the village is an "Equal Opportunity Employer." The statement also needs to be put on the Quality Water Report.
- Tom also mentioned that the village needs a handicap parking sign that says that it is van accessible and the handicap spot needs to have an 11ft clearance. Tom will order the sign(s).

RESOLUTION #244

TO APPROVE ADJUSTMENTS MADE TO FORM E

A motion was made by Trustee Lehnen, second by Trustee Slaven to make adjustments to Form E with the following resolution.

RESOLUTION OF THE VILLAGE BOARD, VILLAGE OF CASSADAGA, CHAUTAUQUA COUNTY, NEW YORK, accepting Revisions to the "WELL DEVELOPMENT & WATER SYSTEM IMPROVEMENT

PROJECT”, Capital Project as administered through USDA Rural Development. The Village Board hereby modifies the following administrative and construction budget item on the Form E based on Form E #24, which is the last Form E to be submitted: A-1 Legal \$7,986.18 move to contingency; A-2 Bonding \$3,415.49 move to contingency; A-3 Net Interest Expense \$801.16 move from contingency; A-4 Fiscal Coordination \$1,520 move to contingency and A-7 Miscellaneous \$28.56 move from contingency; A-9 Full time Residential Inspection (Village) \$122,710 move to contingency; C-1e Contract 5 \$40,863.80 move to contingency; C-1f Contract 6 \$9,109 move to contingency; C-1g Unallocated funds \$620,297.74 move to contingency; C-2b – Direct expenditure (National Fuel) \$851.85 move from contingency. The reason for these budgetary amendments is to zero out administrative and construction line items to close out project.

THIS BUDGETARY AMENDMENT RESULTED IN AN INCREASE OF CONTINGENCY BY \$804,220.64, BRINGING TOTAL CONTINGENCY FROM \$208,779.36 TO \$1,013,000 THIS 2ND DAY OF APRIL 2014.

WHEREAS, the Village of Cassadaga, Village Board has reviewed this Form E Capital Outlay Budget category, and

NOW, THEREFORE, THE VILLAGE OF CASSADAGA, VILLAGE BOARD HEREBY RESOLVES AS FOLLOWS:

The following vote was taken and recorded in the public or open session of said meeting: VOTE: 3 AYES, 0 NAYS.

RESOLUTION #245

TO ACCEPT AND APPROVE FORM E

A motion was made by Trustee Slaven, second by Trustee Lehnen to approve Form E #25 Final and to accept the total amount of \$4,034,565 spent for the Capital Water Project. VOTE: AYES 3, NAYS 0.

RESOLUTION #246

TO RESCIND RESOLUTION #225 TO INCREASE THE DEBT SERVICE FEE

A motion was made by Trustee Dechard, second by Trustee Lehnen to rescind Resolution #225 made on March 19, 2014 to increase the debt service fee. VOTE: AYES 3, NAYS 0.

SUPERINTENDENT OF PUBLIC WORKS TOM FETTER:

- The Health Dept. is coming on Monday to take a sample in the village septic and we will have to wait and see what happens.**
- We will have to put a fence around the septic before the gun raffle.**
- We blew another pump head on the chemical feed. This is the third time this has happened. Kandy Co. came and repaired it.**

- He mentioned that McCorkhill's punch list did not match Kandy's and that Greg did not mention plumbing issues to Kandy Co.
- The pump is not reading correctly. He said the crock holds 35 gallons (chlorine) and reads a usage of 20 gallons per day. He said what he is actually using is a ratio of 1:1 of water/chlorine in a day, which comes to 2 gallons of chlorine used per day. He stated that the pump should be replaced.
- He stated that there is now a crack forming in the concrete floor in the treatment plant.
- He would like to try to flush hydrants on April 14th, but it will depend on the weather. The temps need to stay about 40 degrees every day for this to happen.

TRUSTEE DECHARD'S REPORT: NO REPORT

TRUSTEE LEHNEN'S REPORT:

- A water customer came to him with a problem and it has been taken care of.
- We need to be sure to follow through with all the water issues we are having with the treatment building and wants the board to back him up on it.

TRUSTEE SLAVEN'S REPORT: NO REPORT

RESOLUTION #247

APPROVAL OF THE FINANCIAL STATEMENT

Trustee Dechard moved, second by Trustee Lehnen to approve the Financial Statement of April 2, 2014. VOTE: AYES 3, NAYS 0.

GENERAL FUND:	\$126,993.14
WATER FUND:	\$466,361.46
CAPITAL FUND:	\$134,198.20
RESERVE CVFD:	\$ 25,902.49
RESERVE DPW	\$ 25,177.44
RESERVE BLDG	\$ 30,139.98
RESERVE WATER REP.	\$ 9,000.00

RESOLUTION #248

APPROVAL OF THE BILLS AND PAYROLL

A motion was made by Trustee Lehnen, second by Trustee Slaven to pay bills as per the Abstract of April 2, 2014 and Payroll of March 28, 2014.

VOTE: AYES 3, NAYS 0.

Abstract Apr. 2, 2014 General cks.6497-6507	\$4,492.45
Abstract Apr. 2, 2014 Water cks.6497-6507	\$3,219.75
Abstract Apr. 2, 2014 Capital cks.259-260	\$6,295.50
Payroll Mar.28, 2014 General Fund ck.4680	\$1,901.42
Payroll Mar.28, 2014 Water Fund dir.dep	\$1,674.32

**Being no further business, Trustee Lehnen moved to adjourn the meeting, second by Trustee Dechard at 8:28 PM. VOTE: 3 AYES, 0 NAYS.
Respectfully submitted,**

**Roxanne Astry, Clerk Treasurer, and
Angelica Martin, Deputy Clerk**

