

**March 19, 2014**

The regular meeting of the Village of Cassadaga was held on March 5, 2014 at 7:00PM with Mayor LeeAnn Lazarony presiding after 7:10. Deputy Mayor Jeff Frick opened the meeting. Trustees present were Michael Lehen, Jeff Frick and Joshua Slaven. Also in attendance were Tom Fetter; Supt. of Public Works, Deputy Clerk Angel Martin and Attorney Mike Norris. Absent: Trustee Dechard.

**RESOLUTION #220**

**APPROVAL OF MINUTES**

Motion made by Trustee Lehen, second by Trustee Slaven to approve the minutes of March 5, 2014 minutes. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION #221**

**ACCEPT AGENDA**

A Motion was made, by Trustee Slaven to approve the agenda, second by Trustee Lehen. VOTE: 3 AYES, 0 NAYS.

**GUESTS:**

Engineer Greg McCorkhill, Bill Astry, and Bob Reuther, CVCS Government class student; Thomas Lazarony.

Bob Reuther who is the softball coach for the girls wanted to make sure that work would be done on the girl's softball field. Trustee Frick stated that he is getting quotes from area landscapers to have this done. Right now the fields are all covered with snow. Bob stated minimum work needs to be done on t-ball field.

**ATTORNEY MIKE NORRIS REPORT:**

- We are in process of reviewing the employee handbook.

**STEARNS & WHELER REPORT: GREG MCCORKHILL**

- He has Change Order #2 for Contract 5 for approval and Pay App #6 for Kandey for board approval and stated that Rural Development has approved them.
- He is still negotiating Change Order #2 for Contract 6 with Ahlstrom Schaeffer.
- Mayor wants the 2 fire hydrants on High Street replaced. Greg will talk to Tom about adjustments.
- Discussion held on the importance of having everything wrapped up by April 1<sup>st</sup> so we can close out project with Rural Development. We are in danger of losing long term loan if it is not complete. All paperwork must be completed so we can have payments ready for our BANS and loan from Rural Development.
- It was decided to have a Special Meeting on March 26<sup>th</sup> at 6:30 PM for the purpose of the Water Project.

- Close out meeting will be held April 29<sup>th</sup>.

**RESOLUTION # 222**

**APPROVE CHANGE ORDER #2 CONTRACT 5**

Trustee Lehnen moved, second by Trustee Slaven to approve Change Order # 2 for Contract 5 for Kandey Corp in the amount of \$ 40,863.50 decrease in the total contract amount. There was a savings of \$26,475 for North Shore Park, \$8,849.30 in fittings, \$2,110 in restoration, \$2,345 in dampproofing foundation, \$544.50 in backfill material, and \$540 in deleting slats in fence. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 223**

**APPROVE FINAL PAY APP #6 FOR CONTRACT 5**

Trustee Slaven moved, second by Trustee Frick to approve Pay App #6 for Kandey Company in the amount of \$ 36,746.82 to close out this contract. VOTE: 3 AYES, 0 NAYS.

**MAYOR LAZARONY'S REPORT:**

- She just spoke at the Kiwanis meeting before coming to board meeting and they are interested in helping on ball fields and Ames Common both with manpower and monetary donation.

**CLERK ASTRY'S REPORT:**

- She reported that she looked up agreement we had with Kids for Courts and there was no agreement with them that they would continue with upkeep of courts once it was constructed.
- She reported that received letter from Chautauqua County Department of Insurance and if we opt out of the County's Workers Comp insurance our exit liability would be \$18,216.
- Received License Agreement with board of Elections that needs to be signed.
- She reported that the budget is complete and board will need to set tax rate and increase in debt service as budgeted.

**RESOLUTION # 224**

**SET TAX RATE**

Mayor Lazarony moved, second by Trustee Lehnen to set the tax rate for the fiscal year 2014-2015 at a rate of \$3.84 per thousand with taxes to be collected \$123,687.28. This is a \$.01 reduction from last year's tax rate keeping our taxes within the 2% tax cap. A Public Hearing will be held on April 2, 2014 at 7:30 PM. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 225**

**INCREASE DEBT SERVICE**

Mayor Lazarony moved, second by Trustee Lehnen to approve the following resolution. VOTE; 3 AYES, 0 NAYS.

**WHEREAS, the Village of Cassadaga has completed the Capital Water Project in the village which included waterline replacements on Putnam Road, High Street, Bard Road, Maple Avenue and North Shore Park, a new water storage tank, booster station, new well source and water treatment building and distribution lines; and**

**WHEREAS, the project was funded by Bond Anticipation Notes for 5 years and we will be converting to a long term note with USDA rural Development, and**

**WHEREAS, USDA Rural Development requires us to set a rate to assure that payments can be made, and**

**WHEREAS, the EDU'S consist of 371 customers that include inside and outside residents, and 215 EDU'S for Lily Dale and 227 EDU'S for Job Corp, and now therefore be it**

**RESOLVED THAT THE ANNUAL Debt Service per EDU shall be \$200 annually effective June 1, 2014.**

#### **SUPERINTENDENT OF PUBLIC WORKS TOM FETTER'S REPORT**

- He reported that our septic system failed at the Community Building/Fire Hall on Sunday, March 16<sup>th</sup>. He has had both tanks and distribution tanks pumped out twice but it just fills in. The County Health Department will come on Monday to do a perk test. At this time not sure if we will need a new leach field or septic. Discussion held on finances and emergency of the project.
- He will get portable johns to be used for the building to be placed outside at edge of parking lot.
- He ordered a big Stop sign and Stop Ahead sign for Frisbee.

#### **RESOLUTION # 226**

#### **DECLARE EMERGENCY**

**Mayor Lazarony moved, second by Trustee Lehnen the following resolution. VOTE: 3 AYES, 0 NAYS.**

**WHEREAS, the Community Building and Fire Hall is a Public building that is used for the Village Office, Fire Hall and with weekly activities scheduled, and,**

**WHEREAS, the septic system is not functional and public toilets and water can not be used in this building, now therefore be it**

**RESOLVED that the Mayor declares this an Emergency and expenditures be made to resolve problems and that it will not be necessary to get required quotes if it is determined that it can't wait.**

#### **TRUSTEE DECHARD'S REPORT- Absent**

#### **TRUSTEE SLAVEN'S REPORT**

- He gave board examples of different decorative lighting that is available for Ames Common and board chose a Welbourne Collection post Lantern at cost of \$123.03 each.

- It was also discussed that a new flag pole for Ames Common would be approximately \$1500.
- The Mayor stated that the Kiwanis would be willing to raise funds for brick pathway in park.

**TRUSTEE LEHNEN'S REPORT**

- He reported that the Fire Department had a total of 21 calls.

**TRUSTEE FRICK'S REPORT**

- He has received one quote for sealing basketball court and still waiting for a couple more.
- He is also getting quotes for landscaping the ball field.
- He spoke to Bob Stewart from NOCCO about our rates and right now they are high due to cold weather. He would come to meeting if we wish.

The board reviewed draft of Employee Handbook and made some moderate changes.

Discussion held on Change Order # 2 for Contract 6 with Ahlstrom Schaeffer. The total of the change order is a decrease of \$7,478. However it consists of an increase of \$3,263 for modifications to accommodate for overload fault of the pump starter. The board felt strongly that this should not be paid because it was not our fault the program was not designed properly to begin with. However, when our engineer discussed it with them they are not in agreement. We are under pressure and a deadline to close out this project before April 1<sup>st</sup> or risk losing our USDA Rural Development long term loan. The cost benefit of approving change order or losing loan is substantial.

**RESOLUTION # 227**

**APPROVE CHANGE ORDER # 2 CONTRACT 6**

Mayor Lazarony moved, second by Trustee Slaven to approve the change order # 2 on Contract 6., discussion held.

Mayor Lazarony moved to amend the motion to authorize Attorney Norris to negotiate with Ahlstrom Schaeffer on reduction of this cost if possible but authorize him to settle for the full \$3,263 if needed, second by Trustee Slaven.

**VOTE ON AMENDMENT: 3 AYES, 0 NAYS.**

**VOTE ON MOTION AS AMENDED: 3 AYES, 0 NAYS.**

**RESOLUTION # 228**

**APPROVAL OF FINANCIAL STATEMENT**

Trustee Frick moved, second by Trustee Slaven to approve the Financial Statement of March 19, 2014. **VOTE: 3 AYES, 0 NAYS.**

<b>GENERAL FUND</b>	<b>\$ 131,927.85</b>
<b>WATER FUND</b>	<b>\$ 463,660.07</b>

CAPITAL FUND	\$ 199,287.70
RESERVE CVFD	\$ 25,902.49
RESERVE DPW	\$ 25,177.44
RESERVE BLDG	\$ 30,139.98
RESERVE WATER REP.	\$ 9,000.00

**RESOLUTION # 229**

**APPROVAL OF BILLS AND PAYROLL**

Mayor Lazarony moved, second by Trustee Slaven to approve bills as per Abstract March 19, 2014 and Payroll of March 14, 2014. VOTE: 3 AYES, 0 NAYS.

Abstract March 19, 2014 General cks.6489-6496	\$ 3,039.15
Abstract March 19, 2014 Water cks. 6489-6496	\$ 2,035.61
Abstract March 18, 2014 Capital cks 256-257	\$ 45,915.73
Payroll 3/14/14 General Fund ck. 4674-4679	\$ 7,501.55
Payroll 3/14/14 Water Fund direct deposit	\$ 1,674.32
Payroll 3/14/14 Capital Fund direct deposit	\$ 118.42

**RESOLUTION # 230**

**MOVE INTO EXECUTIVE SESSION**

Mayor Lazarony moved, second by Trustee Slaven to Move Into Executive Session to discuss Personnel issues with attorney at 9:05. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 231**

**COME OUT OF EXECUTIVE SESSION**

Trustee Frick moved, second by Trustee Slaven to Come out of Executive Session at 9:30. VOTE: 3 AYES, 0 NAYS.

Being no further business Trustee Frick moved to adjourn the meeting, second by Trustee Slaven at 9:30 PM. VOTE: 3 AYES, 0 NAYS.  
Respectfully submitted,

Roxanne Astry  
Clerk Treasurer





