

**APRIL 6, 2016**

The regular meeting of the Village of Cassadaga was held on April 6, 2016 at 7:00 PM with Mayor LeeAnn Lazarony presiding. Trustees present included Jeff Frick, Amanda Kalfas and Bill Astry. Also in attendance were Supt. of Public Works; Tom Fetter, Absent: Mike Lehnen.

**RESOLUTION # 44  
APPROVAL OF MINUTES**

A motion was made by Trustee astry, second by Trustee Frick to approve the minutes of March 16, 2016. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 45  
APPROVAL OF AGENDA**

A motion was made by Trustee Frick, second by Trustee Astry to approve the agenda. VOTE: 3 AYES, 0 NAYS.

Guests: None

**ATTORNEY MIKE NORRIS' REPORT: Absent**

**MAYOR LAZARONY'S REPORT:**

- She read letter of Resignation from Garrett Torrey with last day of April 15<sup>th</sup>. She reported that we need to find someone as soon as possible and we will post on facebook, website and word of mouth.
- She placed the order for trees for Mitigation. CVCS Conservation class will plant the trees.
- She submitted Small Municipality Grant for electronic meters to Senator Cathy Young for \$150,000.
- The gates at beach will be unlocked on May 1<sup>st</sup> for residents to use but no swimming will be allowed without lifeguards.

**RESOLUTION # 46  
ACCEPT GARRETT TORREY'S RESIGNATION**

Trustee Frick moved to regretfully accept the resignation of Garrett Torrey, second by Trustee Astry. VOTE: 3 AYES, 0 NAYS.

**CLERK-TREASURER ASTRY REPORT:**

- Reported that received letter from Chautauqua County Dept. of Finance that our exit liability for Workers Compensation would be \$19,986 if we chose another carrier.
- Unpaid water bills that have missed 2 payments that need to be put on tax roll for relevy total \$9,997.50. There are 3 past due water bills that are outside the village that can not be put on taxes. Mayor said that we should post notice on their doors and then shut off if not paid.

- She requested permission to adjust off balance of \$209 for Cassadaga Furniture Upholstery because there are 3 meters and this particular line was shut off at curb and did not realize it.
- She reported that she has received 2 big FOIL requests from outside the state. Received recommendations from County Clerk's office on how to proceed.
- She has been spending a lot of time putting together application for EFC funding. She has compiled over a foot of materials to include in the application and still working on the fine points in wording of application. She has asked John Alessi from Hodgson & Russ who is our Bond Council, Kelly Lathan from Fiscal Advisors and Engineer JP Schepp from Chatfield to give recommendations on the wording.
- There is a Bond Resolution that needs to be acted on tonight in regards to funding of the Methane Removal which is subject to Permissive Referendum. This means that we can't give Notice to Proceed until 30 days have lapsed of printing notice in paper and posting in 6 places in village.
- The Standardization Resolution that Attorney Mike Norris gave to board at last meeting is on agenda to be acted on.
- Cindy Flaherty completed an application for United Arts Appeal of Chautauqua County for band concert in the amount of \$500 on behalf of the village. I need permission to send.

**RESOLUTION # 47**

**RELEVY UNPAID WATER BILLS ON TAXES**

Mayor Lazarony moved, second by Trustee Frick to add unpaid water bills on taxes with total of \$9997.50. VOTE: 4 AYES, 0 NAYS.

**RESOLUTION # 48**

**CANCEL WATER BILL FOR CASSADAGA UPHOLSTERY**

Trustee Frick moved, second by Trustee Kalfas to cancel the water bill for Cassadaga Upholstery for the one line in the amount of \$209.00 for account 5100903090. VOTE: 4 AYES, 0 NAYS.

**RESOLUTION # 49**

**BOND RESOLUTION FOR FUNDING FOR METHANE REMOVAL**

1. A BOND RESOLUTION, DATED APRIL 6, 2016, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF CASSADAGA, CHAUTAUQUA COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING A WATER SYSTEM CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$250,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$250,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID

**AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

**WHEREAS, the Village Board of Trustees of the Village of Cassadaga, in the County of Chautauqua, New York (the "Village") desires to undertake a capital improvements project for the reconstruction of and construction of improvements to the Village Water System.**

**NOW THEREFORE,**

**BE IT RESOLVED, by the Board (by the favorable vote of not less than two-thirds of all the members of the Board of Trustees) as follows:**

**SECTION 1. The purpose to be financed pursuant to this resolution is a water system capital improvements project generally consisting of the removal of methane from Well No. 5 in the Village, such improvements to include, but not be limited to, the installation of a diffused aeration tank and equipment located adjacent to the water treatment plant, installation of a transfer pump and well pump variable speed drive, construction of a precast concrete building and the installation of electrical controls and programming, and the installation of site piping and valves, as well as other improvements more fully identified in a preliminary engineering report prepared by Chatfield Engineers, P.C., and including all preliminary work and necessary equipment, materials, and site work and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$250,000.**

**SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate amount not to exceed \$250,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grant funds expected to be received from the Environmental Facilities Corporation. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.**

**SECTION 3. It is hereby determined that such Purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 40 years.**

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

**SECTION 6.** The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

**SECTION 8.** The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3) of the Code.

**SECTION 10.** The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 11.** The Village hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (“SEQRA”) is required.

**SECTION 12.** To the extent applicable, the Village Treasurer is hereby authorized to execute and deliver in the name and on behalf of the Village a project financing agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “SRF Project Financing Agreement”). To the extent applicable, the Village Treasurer and the Village Clerk and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

**SECTION 13.** In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

**SECTION 14.** The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

**SECTION 15.** This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

**SECTION 16.** If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

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The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

**AYES:** Mayor Lazarony  
Trustee Jeff Frick  
Trustee William Astry  
Trustee Amanda Kalfas

**NAYS:**

**ABSENT:** Trustee Mike Lehn

The foregoing resolution was thereupon declared duly adopted.

**RESOLUTION # 50**

Trustee Frick moved, second by Trustee Astry the following: **VOTE: 4 AYES, 0 NAYS.**

**RESOLUTION FOR STANDARDIZATION OF COATS AND PANTS**

**WHEREAS, the Village of Cassadaga (the “Village”) purchases equipment for the Cassadaga Volunteer Fire Department (the “Fire Department”) and it is titled in the Village’s name, and**

**WHEREAS, the Fire Department is in need of additional firefighter coats and pants to update and replenish the existing firefighter coats and pants, and**

**WHEREAS, the Village placed out to bid the need for 10 (ten) sets of firefighter coats and pants in February 2015 and was supplied by bid 10 (ten) sets of firefighter coats and pants manufactured by Bristol Uniforms LTD, and**

**WHEREAS, the Village intends to purchase 5 (five) additional sets of firefighter coats and pants for the Fire Department.**

**NOW, THEREFORE, BE IT RESOLVED, that the Village makes the following findings:**

- 1. Standardization on one manufacturer will significantly reduce the complexity of fitting and tailoring firefighter coats and pants for each firefighter.**
- 2. Standardization on one manufacturer of firefighter coats and pants will allow uniformity in maintenance and repair of the fire coats and pants.**
- 3. The operation and effectiveness of firefighter coats and pants will be consistent, and the existing manufacturer for the coats and pants will provide consistency and continuity for the protection of the firefighters.**
- 4. The time needed for training of existing and future firefighters will be reduced by standardization on one manufacturer for the firefighter coats and pants.**
- 5. Maintenance of fire coats and pants will be simplified and more efficient and cost effective, with only one manufacturer’s support being required for the fire coats and firefighter pants.**

**Based upon the above findings, it is further**

**RESOLVED, that for reasons of efficiency and economy and pursuant to the authority conferred by Subdivision 5 of Section 103 of the General Municipal Law, it is determined that there is a need for standardization in the firefighter coats and firefighter pants at the Cassadaga Volunteer Fire Company to the manufactured Bristol Uniforms LTD and said standardization is hereby adopted, authorized and directed.**

**RESOLUTION # 51**

Trustee Astry moved, second by Trustee Kalfas the following: VOTE: 4 AYES, 0 NAYS.

**RESOLUTION FOR STANDARDIZATION OF HARNESES**

**WHEREAS**, the Village of Cassadaga (the “Village”) purchases equipment for the Cassadaga Volunteer Fire Department (the “Fire Department”) and it is titled in the Village’s name, and

**WHEREAS**, the Fire Department is in need of additional firefighter harnesses to update and replenish the existing firefighter harnesses, and

**WHEREAS**, the Village placed out to bid the need for 10 (ten) sets of firefighter harnesses in February 2015 and was supplied by bid 10 (ten) sets of firefighter harnesses manufactured by Gemtor, Inc., and

**WHEREAS**, the Village intends to replace 5 (five) additional sets of firefighter harnesses for the Fire Department.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village makes the following findings:

1. Standardization on one manufacturer will significantly reduce the complexity of fitting and tailoring firefighter harnesses for each firefighter.
2. Standardization on one manufacturer of firefighter harnesses will allow uniformity in maintenance and repair of the firefighter harnesses.
3. The operation and effectiveness of firefighter harnesses will be consistent, and the existing manufacturer for the harnesses will provide consistency and continuity for the protection of the firefighters.
4. The time needed for training of existing and future firefighters will be reduced by standardization on one manufacturer for the firefighter harnesses.
5. Maintenance of firefighter harnesses will be simplified and more efficient and cost effective, with only one manufacturer’s support being required for the firefighter harnesses.

Based upon the above findings, it is further

**RESOLVED**, that for reasons of efficiency and economy and pursuant to the authority conferred by Subdivision 5 of Section 103 of the General Municipal Law, it is determined that there is a need for standardization in the firefighter harnesses at the Cassadaga Volunteer Fire Company to the manufactured Gemtor, Inc. harnesses and said standardization is hereby adopted, authorized and directed.

**PUBLIC MEETING HELD AT 7:30 PM- NO PARTICIPANTS**



**RESOLUTION # 52**

**CLOSE PUBLIC HEARING**

Mayor Lazarony moved, second by Trustee Frick to close the Public Hearing at 7:31 PM. VOTE: 4 AYES, 0 NAYS.

**RESOLUTION # 53**

**ADOPT BUDGET FOR 2016-2017**

Mayor Lazarony moved, second by Trustee Frick to accept the proposed budget. The tax rate to be \$3.856 per M. This is keeping under the tax cap of .12%. Total amount to be raised by taxes will be \$124,818.87. (See Budget attached) VOTE; 4 AYES, 0 NAYS.

**RESOLUTION #54**

Mayor Lazarony moved, second by Trustee Frick to send in grant application to United Arts Appeal of Chautauqua County for \$500 for Band Concert. VOTE: 4 AYES, 0 NAYS.

**SUPERINTENDENT OF PUBLIC WORKS TOM FETTER:**

- He needs help as soon as possible with Garrett leaving.
- The fuel pump in dump truck had to be replaced.
- Bill Boria from Chautauqua County Health Department did inspection of pump house accept the new Water Treatment Building. Once the new well is back in line we will need to do 20 lead and copper samples.
- Have made arrangement with Aqua Store to do inspection of new water tank as required.

**TRUSTEE LEHNEN'S REPORT:** Absent

**TRUSTEE FRICK'S REPORT:**

- He and Trustee Astry will drive around the village and see what needs to be done.

**TRUSTEE KALFAS REPORT:** No report

**TRUSTEE ASTRY'S REPORT:**

- The compost pile is 5000 cubic yards and waiting on someone from County Landfill to view the pile.

**RESOLUTION # 55**

**APPROVAL OF THE FINANCIAL STATEMENTS**

Trustee Astry moved, second by Trustee Kalfas to approve the Financial Statement of April 6, 2016. VOTE: 4 AYES, 0 NAYS.

<b>GENERAL FUND:</b>	<b>\$171,197.43</b>
<b>WATER FUND</b>	<b>\$184,061.90</b>
<b>RESERVE CVFD:</b>	<b>\$ 26,179.57</b>

RESERVE DPW	\$ 25,488.52
RESERVE BLDG	\$ 30,490.12
RESERVE WATER REPAIRS	\$ 18,019.13
RESERVE FOR DEBT SERVICE	\$393,552.05

**RESOLUTION # 56**

**APPROVAL OF THE BILLS AND PAYROLL**

A motion was made by Trustee Astry, second by Trustee Frick to pay bills as per the Abstract of April 6, 2016 and Payroll of March 25, 2016 and Payroll of April 8, 2016. VOTE: 4 AYES, 0 NAYS.

Abstract April 6, 2016 General cks.7236-7255	\$	5,962.88
Abstract April 6, 2016 Water cks. 7236-7255	\$	6,372.49
Payroll of March 25, 2016 General Fund ck: 4916	\$	1,872.01
Payroll of March 25, 2016 Water Fund-direct deposit	\$	1,828.94
Payroll of April 8, 2016 General ck. 4923	\$	1,906.85
Payroll of April 8, 2016 Water- Direct Deposit	\$	1,863.74

Being no further business, Trustee Astry, moved to adjourn the meeting, second by Trustee Frick at 7:40 PM. VOTE: 4 AYES, 0 NAYS.

Respectfully submitted,

Roxanne Astry  
Clerk Treasurer





