

August 3, 2011

The regular meeting of the Cassadaga Village Board was held August 3, 2011 at 7:00 P.M. with Mayor LeeAnn Lazarony presiding. Trustees present were, Rodney Waite, Mike Lehnen, and Ron Dechard. Also in attendance was and Tom Fetter. Absent: Trustee Valerie Culverwell.

RESOLUTION # 118

APPROVAL OF MINUTES

Motion made by Trustee Dechard, second by Trustee Waite to approve the minutes of July 20, 2011 minutes. VOTE: 3 AYES, 0 NAYS.

RESOLUTION # 119

ACCEPT AGENDA

A Motion was made by Trustee Waite second by Trustee Lehnen to approve the agenda. VOTE: 3 Ayes, 0 Nays.

GUESTS: Bob Armstrong, Stearns & Wheler.

Cassadaga Branch Library Board members; Dave Abrams, Lorraine Courson, Trudy Coulcher, Stephanie Banzazak. Also in attendance Sheila Kroon, Maple Ave. and Lynn Wiltsie, President of Lily Dale Assembly.

Trudy Coulcher addressed the board on the status of the Cassadaga Library. The library has now been closed a year due to mold in the ceiling due to a leaky roof, poor insulation and furnace above the ceiling. The estimated cost of repairs is \$75,000 and the Town of Stockton has pledged \$40,000 over a 3 year period. They have applied for grants and they are coming in and a \$40,000 grant for construction was just applied for. Specs for a new roof will be put out this fall.

The \$4000 annual contribution from the Village goes for Operating expenses for the Mary Seymour Library which includes the main library in Stockton and the branch library in Cassadaga.

Lily Dale President Lynn Wiltsie addressed the board about the terrible water that they have been experiencing in Lily Dale. They have been receiving complaints from the guests at the hotels and eating establishments. She brought in a jug of dirty water and a filter to show the board the condition of the water. They have had problems for a few weeks and she needs to have answers for her board and residents before their annual meeting. She explained that some homes on the same streets are fine but others experienced bad water. Engineer Bob Armstrong stated that the contractor working on Maple Avenue waterline replacement blew a fire hydrant last Friday which explains bad water Friday but does not understand why they would get bad water before that. Mayor Lazarony asked her to keep her informed if they are still getting bad water in the coming weeks.

PUBLIC HEARING held at 7:30 to hear any comments regarding our renewal of the Time Warner 15 year franchise. Mayor Lazarony read the Franchise Agreement. No comments were heard from the Public.

RESOLUTION # 120

CLOSE PUBLIC HEARING

Trustee Dechard moved, second by Trustee Lehnen to Close the Public Hearing at 7:35. VOTE: 3 AYES, 0 NAYS.

RESOLUTION # 121

RENEWAL TIME WARNER FRANCHISE

Trustee Dechard moved, second by Trustee Waite the following: In the Matter of the Renewal of the Cable Franchise Held by Time Warner Entertainment-Advance/Newhouse Partnership, in the Village of Cassadaga, County of Chautauqua, New York. An application has been duly made to the Board of the Village of Cassadaga, by Time Warner Entertainment-Advance/Newhouse Partnership (“Time Warner Cable”), a general partnership organized under the laws of the State of New York doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850, and hold of a cable television franchise in the Village of Cassadaga for the approval of an agreement to renew Time Warner’s cable television franchise for an additional (15) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended and certain court rulings.

A public hearing was held in the Village of Cassadaga, New York on August 3, 2011 at 7:30PM and notice of the hearing was published in the Observer on July 14, 2011.

NOW, THEREFORE, the board of the Village of Cassadaga finds that:

- 1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and**
- 2. The quality of the Time Warner service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and**
- 3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and**
- 4. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.**

BE IT FURTHER RESOLVED that the Board of the Village of Cassadaga hereby renews the cable television franchise of Time Warner in the Village of Cassadaga for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the Village of Cassadaga hereby confirms that the Franchise Renewal Agreement replaces the original franchise last amended on May 6, 1998. The forgoing having received a yay vote was thereby declared adopted.

ATTORNEY MIKE NORRIS' REPORT: No Report

STEARNS & WHELER REPORT: BOB ARMSTRONG

- **Contract #3 – H&K is preparing a change order in the amount between \$8,000 to \$10,000 for sidewalk replacement on North Main. Overall the contracted price should be \$20,000 to \$30,000 less. They are working on the fence around the tank and pumping station to complete their work.**
- **Contract #4- D&H has put in 1500 feet of line so far in a weeks time and will be crossing the street tomorrow. A traffic light was put up near work site for traffic control.**
- **Contract #2- Frey Well Drilling. They were unable to get the casing out with the new piece of equipment. It cracked about 60 feet down so they were unable to remove it. They will have to drill a new well right next to the attempted one. They will be sending a proposal that needs to be reviewed and approved by different agencies. They also need to order new casing. They are communicating with Ken Cramer from Moody Associates for advice. Bob Armstrong recommended that we void the check that was written and recommend that we pay 15 to 20% for project completion to Frey Drilling. He will have them submit payment application by next meeting.**
- **Contract # 5- It was decided to have a workshop meeting to discuss pump house for new well.**

MAYOR LAZARONY'S REPORT: No report

CLERK ASTRY'S REPORT:

- **She reported that the Annual Financial Audit was completed and sent to the Office of the State Comptroller and offers her books to the board for audit. She also reported that Bahgat and Laurito will begin their audit very soon.**

SUPERINTENDENT OF PUBLIC WORKS; TOM FETTER

- **Requested permission for him and Ron Matter to attend Highway Picnic on August 17th.**

RESOLUTION # 122

APPROVAL TO ATTEND HIGHWAY PICNIC

Trustee Matter moved; second by Mayor Lazarony to allow Tom Fetter and Ron Matter attend the County Highway Picnic. VOTE: 3 AYES, 0 NAYS.

TRUSTEE WAITE'S REPORT

- He asked if anything has been done on the Village Improvement ideas.

TRUSTEE DECHARD'S REPORT

- He checked with residents on Maple Avenue if they have any concerns regarding waterline replacement.

TRUSTEE LEHNEN'S REPORT

- The Fire Department is working on specs for new ambulance and will be giving to board for approval.

TRUSTEE CULVERWELL'S REPORT

- In her absence the Mayor reported that everything is going well at the beach. They are planning a trip to Fantasy Island this year.

RESOLUTION # 123

APPROVAL OF FINANCIAL STATEMENT

Trustee Waite moved second by Trustee Dechard to approve the Financial Statement of August 3, 2011. VOTE: 3 AYES, 0 NAYS.

GENERAL FUND:	\$ 172,455.28
WATER FUND:	\$ 397,633.90
CAPITAL FUND:	\$1,403,897.00
RESERVE CVFD	\$ 60,618.66
RESERVE DPW	\$ 20,055.76

RESOLUTION # 124

APPROVAL OF BILLS AND PAYROLL

A motion was made by Trustee Waite second by Trustee Dechard to pay bills as per Abstract of August 3, 2011 and Payroll of August 5, 2011. VOTE: 3 AYES, 0 NAYS

General Abstract Aug. 3, 2011 checks 5475-5495	\$ 9,024.80
Water Abstract Aug. 3, 2011 check 5475-5495	\$ 1,532.99
Capital Water Abstract Aug. 3, 2011 ch. 162-163	\$ 6,000.00
Payroll Aug 3, 2011 General, checks 4301-4319	\$ 6,276.49
Payroll Aug. 3, 2011 Water, check 4301-1319	\$ 1,605.00
Payroll Aug. 3 2011 Capital check 4301-4319	\$ 409.07

Being no further business Trustee Dechard moved, seconded by Trustee Waite to adjourn at 8:16 PM.

Respectfully submitted,

Roxanne Astry