

August 11, 2021

The regular meeting and Public Hearing of the Village of Cassadaga was held on August 11, 2021, at 6:30 PM with Mayor William Dorman presiding. Trustees present included Trustees Bill Astry, Cindy Flaherty, Mark Wilson and Rachyl Krupa. Also in attendance was Sam Alaimo, Supt. Of Public Works, Deputy Clerk Mazzone and Attorney Joe Calimeri.

Pledge of Allegiance

PUBLIC HEARING was held for discussion on Local Law 1 of 2021, opt out of Cannabis dispensaries in village and Local Law 2 of 2021, opt out of Cannabis establishments. Guests included Krista Meyers, 48 Mill Street, Tonia Wilson, 33 Pettit Place and Danna Dubois, 5 Miller Place.

Sam Alaimo stated that we should consider the loss revenue that we would be losing if we do not allow this. He estimates that daily sales could be \$5,000 per day with loss revenue of \$54,000 a year at 3% of sales.

Danna Dubois stated she does not have strong opinion one way or the other and wants to learn more about it.

No other comments were given during Public Hearing.

RESOLUTION # 109

CLOSE PUBLIC HEARING

Trustee Astry moved, second by Trustee Wilson to close public hearing at 6:35 PM. VOTE: 4 AYES, 0 NAYS.

RESOLUTION # 110

APPROVAL OF MINUTES

A motion was made by Trustee Astry second by Trustee Wilson to approve the minutes of July 28, 2021. VOTE: 4 AYES, 0 NAYS

RESOLUTION # 111

APPROVAL OF AGENDA

A motion was made by Trustee Astry, second by Trustee Flaherty to approve the agenda. VOTE: 4 AYES, 0 NAYS.

ATTORNEY JOE CALIMERI'S REPORT:

- He reported that the property transfer to JoJo Café should close next month.**
- He reminded everyone that the Local Laws on Cannabis are subject to a Permissive Referendum that is filed within 45 days of adoption**

- with 20% of registered voters signatures. As of now, the State Legislatures have not come up with full scope or rules and regulations regarding cannabis. He also stated that CBD oils are not included in the sales.
- He announced that Jamestown is hosting the National Babe Ruth competition starting this weekend. He also noted that a Cassadaga player, Braden LeBarron is in this competition.

MAYOR DORMANS REPORT:

Updates:

- Listened to ARPA funding use/guidelines webinar
 - Good information generally
 - I understood it to say that water meter improvements would be an acceptable use of ARPA Funds, correct?
 - Roxanne stated that she has not received an answer as of yet if electronic meters are included. She also stated that Parks are included in the funding and possibly we could use funds for a new bathhouse at beach.
 - I got lost in some of the accounting jargon, but noted some dates/deadlines in the webinar
 - Projects defined & expenditure report created by 10/31/2021 and annually thereafter. (???)
 - Obligations defined by 12/21/2024, spent by 12/2026
 - Reminder to modify budget before using
 - Q. for Roxanne: did you hear anything about the reporting requirements that would be an issue for us?
 - Roxanne responded that she should not have problem with reporting requirements.
- Pleased to see tree removal took place last week as scheduled.
 - Q. Whose responsibility is the removal of the stumps?
 - A. Property owner

New Correspondence:

- 1) New legislation has been initiated in the state legislature proposing all V/B meetings be “livestreamed” and an approved recording of that meeting must be posted on the website within five days.
- I have not seen this subject covered by NYCOM but will watch for it as well as any other information.
- I suspect this will be an ‘unfunded mandate’ if the legislation becomes law.
- 2) I would like to know if our microphone/amplifier would be compatible with a ‘lapel’ microphone so it would be less of a distraction and more effective? I will investigate.

CLERK TREASURER ASTRY REPORT

- **Read Fire Department July Report: EMS-9 calls, Fire-2 calls, MVA-2 calls, Alarm Activation-3, Request for gator-2, Service Call-2, Standby for CCSO-1, Mutual Aid-7, Mutual Aid Received-2. Total Calls-20, Total Man hours-97.25.**
- **The State Comptroller Audit Report was filed, and a copy is available for anyone. Will post PDF on website.**
- **Bahgat & Bahgat Laurito will be starting the annual audit of our finances soon. This is done every other year.**
- **The ZBA Hearing that was held for use variance for Kim Collins was held on August 5th and no decision made. They ZBA will reconvene the meeting on August 26th to review the response of hardship that Kim Collins will be submitting.**
- **Delinquent notices for water bills and taxes were mailed.**
- **She attended the webinar on ARPA funds.**

NEW BUSINESS: 1. CANNABIS LOCAL LAW 1 of 2021

2. CANNABIS LOCAL LAW 2 OF 2021

Trustee Krupa stated that she wants to wait until next meeting to vote on the Local Laws. Clerk Astry stated that we have time to decide. The Local Laws have to be filed by December 31, 2021. Once we adopt it is subject to Public Referendum. The Local Laws give us the only opportunity to opt out of cannabis sales and establishments. If we decided at anytime next year that we are interested once rules and regulations are established, we could repeal the laws.

DEPUTY CLERK MAZZONE REPORT: No report

SUPT. OF PUBLIC WORKS SAM ALAIMO'S REPORT: Absent

- **He reported that they had to repair the septic system at the beach. There is a 1000-gallon tank with 2 drainage points. The lines were solid with tree roots from the willow trees and had to be cleaned out.**
- **They have been working on the storage barn on Maple Ave and poured concrete floors.**
- **Great Lakes Tree Service is completing work tomorrow, they cut 22 trees and trimmed 8. If we pay the invoice by Friday, they will give us a 5% discount for savings of \$890.**

RESOLUTION # 112

APPROVE BILL FOR GREAT LAKES TREE SERVICE

Trustee Astry moved, second by Trustee Wilson to issue check to Great Lakes Tree Service in the amount of \$16,910. VOTE: 4 AYES, 0 NAYS.

TRUSTEE ASTRY'S REPORT: No report

TRUSTEE FLAHERTY'S REPORT:

- Thanked Sam for taking care of bathroom problem and thank you to Brian Carlisle for expertise on goose and duck problem at beach and Rodney Waite on use of aerator at beach. The beach was closed for a few days due to bacteria and opened again on Monday. They tried grape Kool-Aid on dock, and silhouettes on dock to discourage geese and ducks and aerator to improve water flow.
- We had only 223 people in attendance last week because of no swimming and rain.
- We had 300 to 350 people at the last concert on August 8th with Ozone Rangers.
- She received quotes for cameras at beach and would like someone else to review the quotes before decision made. Sam Alaimo agreed to review them
- Labor Day Festival planning is going well.

TRUSTEE KRUPA'S REPORT:

- It is important that we secure a couple aerators for next year for beach.

TRUSTEE WILSON REPORT:

- The Freakin Hot 50 K was held last week and raised \$500 for Food Pantry and \$500 for Fire Police.
- They have 85 kids scheduled for Triathlon on August 14th at 10 AM and could use more volunteers.

RESOLUTION # 113

APPROVAL OF THE FINANCIAL STATEMENTS

Trustee Astry moved, second by Trustee Flaherty to approve the Financial Statement for July 30, 2021 and August 11, 2021. VOTE: 4 AYES, 0 NAYS.

GENERAL FUND July 30	\$	328,014.96
WATER FUND July 30	\$	39,167.55
GENERAL FUND Aug. 11	\$	361,740.55
WATER FUND Aug 11	\$	37,652.45
RESERVE CVFD EQUIPMENT	\$	26,524.66
RESERVE DPW EQUIP.	\$	27,798.23
RESERVE WATER REPAIRS	\$	50,222.87
RESERVE FOR DEBT SERVICE	\$	282,065.32

RESOLUTION # 114

APPROVAL OF THE BILLS AND PAYROLL

A motion was made by Trustee Astry, second by Trustee Flaherty to pay the following: VOTE: 4 AYES, 0 NAYS.

Payroll of Aug. 8, 2021, General Cks: 5683-5688	\$ 7,934.34
Payroll of Aug. 8, 2021, Water Cks: 5683-5688	\$ 2,219.65
Abstract of Aug. 11, 2021, General Cks: 9290-9310	\$ 15,293.35
Abstract of Aug. 11, 2021, Water Cks: 9290-9310	\$ 2,059.03

Being no further business, Trustee Astry moved to adjourn the meeting, second by Trustee Wilson at 7:15 PM. VOTE: VOTE: 4 AYES, 0 NAYS.

Respectfully submitted,

Roxanne Astry, Clerk Treasurer