

AUGUST 24, 2022

The regular meeting of the Village of Cassadaga was held on AUGUST 24, 2022, at 7:00 PM with Mayor William Dorman presiding. Trustees present included Bill Astry, Cindy Flaherty, Mark Wilson and Rachyl Krupa. Also in attendance was Clerk Roxanne Astry, Deputy Clerk Annette McChesney, Attorney Joe Calimeri and Supt. Public Works Sam Alaimo.

Pledge Of Allegiance

RESOLUTION # 94

APPROVAL OF MINUTES

A motion was made by Trustee Astry to approve minutes, second by Trustee Flaherty minutes of AUGUST 10, 2022. VOTE: 4 AYES, 0 NAYS.

RESOLUTION # 95

APPROVAL OF AGENDA

A motion was made by Trustee Astry to move up short term rental moratorium before guest comments second by Trustee Flaherty. VOTE: 4 AYES, 0 NAYS.

GUESTS:

Jeanne & Chris MacKrell, 272 Dale Drive, Braden Carmen, Observer, Nancy Wickmark, 39 Pettit, John Sipos, 5 Pennington, Tonia Wilson, 33 Pettit, Gail Dash, 8 Miller, Jen Vahl, Cassadaga, Cathy Stewart, Cassadaga, George McIntyre, 19 Miller, Lorraine Courson, 166 Maple, Regina Burlingame, 98 Maple, Nancy King-Rose, 11 Lakeview, Rick Vahl, 8442 Rt. 60, Cathy Cruver, 131 LeRoy Place, Lauren & Gary Ritten, 6270 Rt. 5, Portland, Danna Dubois, 5 Miller Place, Judith Garncarek, 182 Dale, Kathy Thorp, 115 Maple, Kim Collins, 49 Lakeview, Dan Thorp, 115 Maple, Susan Asquith, 186 Dale, Toby Hammond, 68 Mill, Tricia Waterman Verost, 53 Park, Dennis Collins, 55 Lakeview, Delores Dubois, 165 Maple.

RESOLUTION # 96

TABLE MORATORIUM

Trustee Astry moved to Table the Moratorium on Short Term Rental until next meeting, seconded by Trustee Flaherty. VOTE: 4 AYES, 0 NAYS,

GUEST COMMENTS:

Lauren Ritten, Portland, they traveled a long way, they own STRs in surrounding areas how Cassadaga decides on Short Term Rentals could affect them

Gale Dash, Miller Place, asked about Miller Place pavement progress. Also wants to know how Home Businesses are being addressed left message for Wendy Spinuzza but have not heard back. The noise level of sawing going on with neighbor should be addressed.

Sue Asquith, 186 Dale, submitted draft language for zoning on STRs would like to be involved in working with committee

Attorney Joe Calimari stated should have public discussion with committee and board.

Cathy Cruver, 131 LeRoy, asked about tabling vs. rescinding moratorium and it is getting drawn out maybe board should set public discussion meeting

Judith Garncarek, 182 Dale, she interprets the moratorium being tabled so BOT can wait till next meeting when no one comes and then pass it. Ethics committee has fiduciary responsibility to not appear icky.

Gary Ritten, Portland, how long will moratorium be tabled, BOT doesn't know right now.

Chris MacKrell, 272 Dale, make next zoning committee open for public discussion

Jeanne MacKrell, 272 Dale, why can't the law be on the ballot as referendum

Kim Collins, 49 Lakeview, amazing opportunity people want to work on it with the board and realizes not everyone will be happy

Gail Dash, 8 Miller, concern with STRs is who will serve on the boards or committees or fire departments or emergency squads. Real estate will go sky high need families

Rick Vahl, Rt 60, are emails between attorney and BOT privileged. Asked about zoning map changes and any % of STRs decided, it was stated by Trustee that nothing has been decided.

ATTORNEY JOE CALIMERI REPORT – No Report

MAYOR DORMAN's REPORT

No Updates:

- **No updates**

New Correspondence:

- I have received a variety of inputs in writing and by phone regarding the moratorium topic both pro and con. These were from both residents and non-residents. E-copies of these inputs have been kept and have been combined with output from the public hearing of August 10th.
- This week I received a phone call regarding the need to control STR's to preserve the village's small-town character, knowing who your neighbor is

and keeping housing reasonably affordable for young families. The caller wished to remain anonymous and did not want to attend the public hearing or provide comments in writing.

- Kim Collins complaint regarding the water shut off at 88 Frisbee Rd. Ongoing e-mail debate over our authority to do that.

CLERK ASTRY'S REPORT –

- Thank you from Patricia Greenstein and \$100 beach donation
- CVFD REPORT JULY 2022: EMS CALLS-10, FIRE CALLS-8, MVA CALLS-0, ALARM ACTIVATION-1, REQUEST FOR GATOR-O, SERVICE CALLS-1, STANDBY FOR CCSO-0, MUTUAL AID GIVEN-6, MUTUAL AID RECEIVED-0, TOTAL CALLS-18, TAOL MAN HOURS-110
- Read Letters on STRs-Sheila Kroon gave description of Imagine what our community should be and is in favor of moratorium, Jim Bird is going to use his property as a STR and hopes he is grandfathered in, Bruce Quackenbush not in favor of STR and in favor of moratorium, and agrees with cons 1-10. Bethany Burlingame is in favor of moratorium and upset how some people against moratorium slandered other individuals, Regina Burlingame is in favor of moratorium and likes to have neighbors she can be friends with, Tracy Pierce is in favor of moratorium and should adhere to rules, Lorraine Courson in favor of moratorium, Helen Runge in favor of moratorium.

DEPUTY CLERK MCCHESENEY – No Report

OLD BUSINESS

1. **SHORT TERM RENTAL-MORATORIUM** Moved to before guest comments.
2. **BATHHOUSE AT BEACH-ARPA – Finalized Beach Bathhouse building plans from Chris Cooke Architect, Trustee Astry to put language in for bids.**

RESOLUTION # 97

APPROVE FINALIZED PLANS FOR BEACH BATHHOUSE

Motion made by Trustee Astry to move forward with construction 2nd by Trustee Wilson beach bathhouse. 4 AYES 0 Nays

NEW BUSINESS – Accept resignation of Zoning Code Enforcement Officer Wendy Spinuzza.

RESOLUTION # 98

ACCEPT RESIGNATION OF ZONING CODE ENFORCEMENT

Motion to accept resignation of Zoning Code Enforcement Officer Wendy Spinuzza by Trustee Astry 2nd Trustee Wilson. BOT thanked Wendy for her service. VOTE: 4 AYES, 0 NAYS

SUPT. OF PUBLIC WORK REPORT: SAM ALAIMO – No Report

TRUSTEE ASTRY’S REPORT

- Parking Lot is completed and thanks to shared services.

TRUSTEE FLAHERTY’S REPORT

- Beach total this season up to 3,624, 640 more than last year. Thanks Tammy for a wonderful season
- Had two bees nests removed
- Asked community if you notice anything amiss, please let her know
- Last event 09/17 before winterization and DPW remove dumpster, speed bumps, stop signs. Grills still need installed.
- Read results from interview survey on STRs, (on file in office)
- Reported that she received complaints of loud party on Lakeview until 3AM on August 18th.
- Cruise Night Legion August 30th
- Labor Day Festival all weekend
- September 7th Triathlon
- September 10th Full Moon paddle Beach
- September 17, KBR Triathlon
- Zoning committee want written direction from BOT on what they should do

TRUSTEE KRUPA’S REPORT –

- Beach Program was great and thanks Tammy
- Tree committee meeting tomorrow to discuss planting more trees

TRUSTEE WILSON’S REPORT - No Report

RESOLUTION # 99

APPROVAL OF FINANCIAL STATEMENTS

Trustee Astry moved, seconded by Trustee Flaherty to approve the financial reports for August 24, 2022. VOTE: 4 AYES, 0 NAYS.

GENERAL FUND 8/24/22	\$	402,557.43
WATER FUND 8/24/22	\$	57,234.85
RESERVE CVFD EQ.	\$	26,577.47
RESERVE DPW EQ.	\$	27,853.59
RESERVE WATER REPAIRS	\$	50,272.97
RESERVE FOR DEBT SERVICE	\$	282,946.07

RESOLUTION # 100

APPROVAL OF BILLS AND PAYROLL

A motion was made by Trustee Astry, seconded by Trustee Wilson to approve the bills and payroll as follows: 4 AYES, 0 NAYS.

PAYROLL General Fund, August 19, 2022, cks: 5819-5824 \$ 9,442.55

PAYROLL Water Fund, August 19,2022, cks: 5819-5824	\$ 2,242.50
ABSTRACT August 24 ,2022 General Cks: 9625-9642	\$ 18,588.46
ABSTRACT August 24 ,2022, Water Cks: 9625-9642	\$ 4,354.15

Being no further business, Trustee Astry moved to adjourn at 8:16 PM, seconded by Trustee Wilson. VOTE 4 AYES, 0 NAYS.

Respectfully Submitted,

**Annette McChesney
Deputy Clerk**