

**JULY 10, 2013**

**The regular meeting of the Village of Cassadaga was held on July 10, 2013 with Mayor Leeann Lazarony presiding. Trustees present were Jeffrey Frick, Mike Lehnen, Valerie Culverwell, and Ron Dechard. Also in attendance was Attorney Michael Benedict.**

**RESOLUTION #100  
APPROVAL OF MINUTES**

**Motion made by Trustee Lehnen, second by Trustee Culverwell to approve the minutes of June 19, 2013 minutes. VOTE: 4 AYES, 0 NAYS.**

**RESOLUTION #101  
ACCEPT AGENDA**

**A Motion was made by Trustee Culverwell to approve the agenda, second by Trustee Frick. VOTE: 4 AYES, 0 NAYS.**

**GUESTS: Sheila Kroon, Maple Avenue, County Legislature John Runkle, Amanda Lancaster, 1 Frisbee Road.**

**Amanda Lancaster expressed her concern regarding the intersection of Frisbee Road and Putnam Road. She has witnessed cars driving right through intersection without stopping and is fearful that there may be a bad accident with someone coming down Stockton Hill and hitting car going through. She asked what could be done to so an accident could be avoided. She was advised to call Sheriff's Department with her concern as Maple Avenue is a County Road. Trustee Frick will call the County and ask them to make sure corner lot is trimmed and will look into caution stop signs or stop bars.**

**ATTORNEY MIKE BENEDICT REPORT:**

- Explained that village will need to get easements from all property owners on North Shore Park where proposed water line will be placed. The current line runs along Beebee road which is actually a paper road. Some trees will need to be taken down and residents will have heavy equipment on their property. His legal fees will be billed at \$175 per hour and title search will be approximately \$600. It was decided that Mayor Lazarony and Trustee Frick will contact homeowners to see if they are all in agreement.**
- Peddler's Local Law 99-2 was discussed but no action taken on amending it. Clerk Astry stated that a concerned resident was wondering if anything could be done to assure that young people going door to door for a fundraiser that it is legitimate. A decision was made to ask coaches, leaders or advisors to contact village office to let them know that students will be going door to door and for what fundraiser.**

**STEARNS & WHEELER REPORT; GREG MCCORKHILL:**

- Reported that the contractor has mobilized his equipment and has started ground work for footer for the water treatment building. The soil was not as good as expected because of all the rain. It was noted that the building was moved 60 feet toward Maple Avenue.
- The board decided on brown block and mocha siding for the building.

#### **MAYOR LAZARONY'S REPORT:**

- Reported that the sidewalk in front of Kathy Wise's house has sunk two feet since the waterline was placed. This section is at the end of the current sidewalk. Mayor stated that it will be replaced along with sidewalk in front of Thorps and Dahl's on Maple Avenue.
- She has contacted Zoning Officers and Enforcement Officer regarding unregistered/unlicensed vehicles on North Shore property. The DEC officer was contacted because they are also in wetlands. He needs to go on property with Zoning Officer.
- No meeting has been set for next Labor Day committee meeting.

#### **CLERK ASTRY'S REPORT:**

- Form E 20 draft was dispersed among board members for review.
- Explained the amount of the next BAN that will be put out to bid by end of month. We will be making a \$70,000 principal payment which will bring BAN amount to \$3,100,000 and adding new money \$640,000 to finish project making BAN amount \$3,740,000. The current BAN that is payable on August 9, 2013 is \$3,170,000.
- She will be appointing Angelic Martin as Subregistrar for vital records.
- Time Warner has asked for tax abatement of \$65.65.
- A resolution needs to be done amending New York's General Municipal Law to allow notices of claim against cities and villages to be served on the New York Secretary of State as agent for New York's public corporations. We need to approve designation and appointing the individual to whom the Secretary of State must mail notices of claims to.
- Explained her search for a new computer. KVS wants us to purchase Windows 7 because of all the problems with the new Windows 8 environment. She went to DFT, Office Max and Sam's Club but none of these retail stores can sell Windows 7 any longer. Dell has a state bid for computers and was in process of contacting them but they did not return call. She has also searched Tiger Direct that have Windows 7 available but no decision will be made until get quote form Dell.
- Contract for services were reviewed for Cassadaga Lakes Association, 76'ers, Cassadaga Senior Citizens and Mary Seymour Library. The board would like to see budget from Library and also would like statement from them stating that they will indemnify us if something happens to vehicle in parking lot when we snowplow.

**RESOLUTION # 102**

**APPROVE APPOINTMENT OF SUBREGISTRAR**

Mayor Lazarony moved, second by Trustee Frick Clerk Astry's appointment of Angelic Martin as Subregistrar of Vital Statistics. VOTE: 4 AYES, 0 NAYS.

**RESOLUTION # 102**

**ABATE TIME WARNER CABLE TAX**

Trustee Culverwell moved, second by Mayor Lazarony to cancel Time Warner Real Property Tax of \$65.65 pursuant to Section 626 of NYS Real Property Tax Law, special franchise taxes may be partially or wholly reduce taxes by cable television payments. Reduce Tax Revenue A.1001 by \$65.65 and reduce Appropriations by \$65.65 and Subsidiary Account Treasurer's Contractual A.1325.4 by \$65.65. VOTE: 4 AYES, 0 NAYS.

**RESOLUTION # 103**

**DESIGNATE ROXANNE ASTRY, VILLAGE CLERK AS DESIGNEE TO RECEIVE NOTICE OF CLAIMS.**

Trustee Culverwell moved, second by Trustee Frick the following Resolution. VOTE: 4 AYES, 0 NAYS.

**WHEREAS, General Municipal Law, §53 requires villages to file a certificate with the Secretary of State as an agent for a service of a notice of claims; and**

**WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claims and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the Village's agent; and**

**WHEREAS, pursuant to General Municipal Law, §50-e (1) (a), the applicable time limit for the filing of a notice of claim upon a Village is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; Now Therefore Be It**

**RESOLVED, that the Village Board of Trustees of the Village of Cassadaga, County of Chautauqua designates Roxanne Astry, in her capacity as Village Clerk, to receive notices of claims served upon the Secretary of State by mail at 22 Mill Street, P.O. Box 286, Cassadaga, New York 14718.**

**BE IT FURTHER RESOLVED, that the Village Board of Trustees hereby directs the Village Clerk to file the required certificate with the Secretary of State informing him or her of the Village's designation and applicable time limitation for filing a notice of claim with the Village on or before July 14, 2013.**

**SUPERINTENDENT OF PUBLIC WORKS; Tom Fetter-Absent**

- Mayor Lazarony reported that Tom had contacted the Sheriff's office regarding illegal dumping at compose pile.

**TRUSTEE DECHARD'S REPORT:**

- Questioned why brush is not being picked up on Monday's.
- Questioned why our Supt. of Public Works isn't going inside water treatment with Garret to supervise him when he is adding chemicals. Mayor stated that he is probably just getting readings.
- He stated that his next day off he is going to follow them and see where they might be able to become more efficient with their time.
- Crosswalks in the village should be clearly marked and suggest one by Park Avenue.

**TRUSTEE LEHNEN'S REPORT:**

- Has not received estimate for sealing black top at fire hall yet.
- Wants to know if a fire hydrant is going to be placed on North Shore Park where one is not needed.
- Chain link fence needs to be tightened to post at beach and he will show them how to do it.
- We should not be installing grate at end of sidewalk at Community Buildings. He wants to try putting stone down first to see if that takes care of problem.

**TRUSTEE CULVERWELL'S REPORT:**

- Beach is opened and have 102 signed up for lessons.
- Health inspection at beach went well and we passed. It was recommended that we consider handicap accessibility.
- We have problem with people driving around speed bumps instead of over them.
- The parking lines aren't right and people have trouble getting down street.
- Would like to see Park Avenue become a one way street. Discussion held and no decision made.
- The raft has to be out far enough where water is at least 8 feet deep and be anchored.
- The new dock should have been installed to the left.
- Wants more sand delivered at beach.
- Our beach kids were invited to the Gerry Rodeo.
- The Waldameer trip is August 14<sup>th</sup>.
- The Fire Department did drill with our lifeguards.
- There was a low attendance at beach during the Kokomo band performance. Will be having Andy Cusimanow and a KISS style band perform this summer.

- They want to have a Friday Night at the movies for residents at the Community building. Mayor Lazarony will look into borrowing the City of Dunkirk's inflatable screen and projector.

**TRUSTEE FRICK'S REPORT:**

- He reviewed information on energy that was given to him and would like to ask our current supplier Bob Stewart from Noco to attend meeting.

**RESOLUTION # 104**

**APPROVAL OF FINANCIAL STATEMENT**

Trustee Culverwell moved, second by Trustee Frick for the approval of the Financial Statement for July 10, 2013. VOTE: 4 AYES, 0 NAYS.

GENERAL FUND: \$271,752.54  
 WATER FUND: \$474,312.25  
 CAPITAL FUND: \$337,737.77  
 RESERVE CVFD: \$5,876.21  
 RESERVE DPW: \$5,154.31  
 RESERVE BLDG: \$20,049.85

**RESOLUTION # 105**

**APPROVAL OF BILLS**

A motion was made by Trustee Culverwell moved, second by Trustee Frick to pay bills as per Abstract of July 10, 2013 and Payroll of July 5, 2013.

VOTE: 4 AYES, 0 NAYS

Prepaid checks 6205-6206	\$ 600.00
Abstract July 10, 2013 General ck. 6207-6235	\$ 9,406.50
Abstract July 10, 2013 Water fund ck 6207-6235	\$ 2,300.00
Payroll July 5, 2013 General Fund ck.4594	\$ 2,045.67
Payroll July 5, 2013 Water Fund direct dep.	\$ 1,674.32

Next Meeting will be on July 17, 2013.

Being no further business Trustee Frick moved, second by Trustee Dechard to adjourn at 8:50 PM

Respectfully submitted,

Roxanne Astry  
 Clerk Treasurer



