

MARCH 8, 2023

The regular meeting of the Village of Cassadaga was held on March 8, 2023, at 7:00 PM with Mayor William Dorman presiding. Trustees present included Mark Wilson and Cindy Flaherty. Trustee Cathy Cruver arrived at 7:45. Trustee Astry absent. Also in attendance were Clear Treasurer Astry, Deputy Clerk McChesney, Attorney Joe Calimeri and Supt. of Public Works Sam

Pledge Of Allegiance

**RESOLUTION # 34
APPROVAL OF MINUTES**

A motion was made by Trustee Flaherty to approve the minutes of February 22, 2023, second by Trustee Wilson. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 35
APPROVAL OF AGENDA**

A motion was made by Trustee Flaherty to approve agenda with the following changes: 1. Add NOCO Rates to New Business and move STR Review to end of meeting, second by Trustee Wilson. VOTE: 3 AYES, 0 NAYS.

GUESTS:

John Sipos, Village Historian, 5 Pennington, Sean & Teri Siebert, 180 Dale Drive, Rodney Waite, 241 Dale Drive, Peter George, 209 Dale Drive, Ryan Burlingame, 153 Maple, Nate Goot

John Sipos, Village Historian, stated it was 215 years ago Chautauqua County was formed, prior Cassadaga and Stockton were part of Genesee County, and county seat in Batavia

Nate Goot with R&N Customs came in case there was discussion on the Beach bathhouse bid he submitted.

ATTORNEY JOE CALIMERI REPORT- No report

MAYOR DORMAN's REPORT – No Report

CLERK ASTRY'S REPORT

- Reported that she has not received any applications for Utility Worker
- Received two bid proposals for beach bathhouse
- Still working on the water withdrawal reports and annual permit
- Will be sending shut off notices out on Friday, 3/10/2023 to customers that have two or more past due water bills
- Received Tree City 4 year award

DEPUTY CLERK MCCHESENEY REPORT– No Report

OLD BUSINESS

- 1. BATHHOUSE AT BEACH-ARPA**

NEW BUSINESS

- 1. BID PROPOSALS ON BATHHOUSE**

- Received two bids-NCI \$166,900.00 and R&N Customs \$110,052.90. Nate Goot was present for discussion. He stated can't really cut costs, the plumbing and electrical are a big part of the bid and no costs savings to do in stages. Clerk treasurer Astry stated that our ARPA fund is \$60,823.00 for this and not sure where the rest would come from. Needs to be discussed at budget workshop.

- 2. EXTEND MORATORIUM**

RESOLUTION # 36

EXTEND MORATORIUM

Trustee Flaherty moved to extend moratorium 90 days, seconded by Trustee Wilson. VOTE: 3 AYES, 0 NAYS.

RESOLUTION # 37

AMEND RESOLUTION #36

Trustee Flaherty amended her prior motion to clarify that the extension is 90 days from date of current moratorium expiration, seconded by Trustee Wilson. VOTE: 3 AYES, 0 NAYS. Trustee Flaherty moved to adopt the original motion as amended to extend the moratorium, seconded by Trustee Wilson. VOTE: 3 AYES, 0 NAYS

- 3. BUDGET ADJUSTMENTS-Clerk Astry asked permission to make the following budget adjustments:**

Revenue:

Decrease A.1001 Real Property Taxes by \$.12 due to rounding off factor

Decrease Expenditure A.1325.410 Postage by \$.12 due to rounding off factor

Expenditures:

Increase CVFD gas A.3410.410 by \$ 500.00

Decrease CVFD Turn Out Gear A.3410.210 by \$500.00

Increase Street Lighting A.5182.400 by \$ 3,000.00

Decrease Ames Common A.7140.400 by \$1,000.00

Decrease Zoning Personal A.8010.100 by \$500.00

Decrease Compost Pile A.8160.400 by \$500.00

Decrease Unemployment Ins. A.9050.800 by \$1,000.00

RESOLUTION # 38

Trustee Flaherty moved to accept budget adjustments as presented, seconded by Trustee Wilson. VOTE: 3 AYES, 0 NAYS.

4. NOCO RATES-Clerk Astry presented variable rates vs. fixed rates for Noco for Natural Gas

RESOLUTION # 39

Trustee Flaherty made a motion to accept the variable rates being that they can change to fixed at any point, seconded by Trustee Wilson VOTE: 3 AYES, 0 NAYS

SUPT. OF PUBLIC WORKS: SAM ALAIMO REPORT

- Recommended hiring Mike Riforgiat as a backup operator at a rate of \$25/hour on an on-call basis. DOH had 4 hour inspection and recommends having someone in place

TRUSTEE ASTRY'S REPORT - ABSENT

TRUSTEE FLAHERTY'S REPORT

- She reported that Ann Gifford will do Lifeguard waterfront certification May 28th
- The solar lights are here from the Bed Tax Grant Bed
- Does the BOT want to do the CleanUp Cassadaga Day again this year by providing a dumpster for residents, will discuss further at next meeting
- Job Corp will be coming to the beach again this year to paint in May
- She has also ordered fencing and posts for the beach
- CBC next meeting is 3/9 at 7pm

TRUSTEE WILSON'S REPORT – No Report

TRUSTEE CRUVER'S REPORT – Absent

OLD BUSINESS: MOVED TO END OF MEETING

2. STR REVIEW

- Discussion on big changes since last time
- Limiting number of Short-Term Rentals per person
- Do prior Short-Term Rentals automatically qualify under the cap
- Legitimate reasons stated for the Law to be enacted
- Septic Review in Law or Application or both
- ZBA can individually review applications for septic, occupancy & parking does not have to be spelled out in the Law
- Ryan Burlingame spoke about the maximum occupants being 10 based on a lot of discussions during committee meetings
- Per NYCOM STRs are the hottest topic right now & NYS may get involved
- Sean Siebert stated that the rationale is not articulated to limit number of owners of short-term rentals. Would the village limit the number of

homes one can own, number of long-term rentals, number of businesses, etc.

- Enforcement of the law is going to be challenging
- Can't rely on current zoning
- Owners need to have due process CEO can't shut them down without it
- Board of Trustees will have to decide if CEO and/or ZBA makes certain decisions and if Board wants to limit 2 STRs per owner and the number of STRs in the village, Attorney will make sure all wording is legal

RESOLUTION # 40

APPROVAL OF FINANCIAL STATEMENTS

Trustee Cruver moved, seconded by Trustee Flaherty to approve the financial report for February 28 ,2023 and March 8, 2023. VOTE: 4 AYES, 0 NAYS.

GENERAL FUND 2/28/2023	\$	251,648.51
WATER FUND 2/28/2023	\$	124,420.35
GENERAL FUND 3/8/2023	\$	253,323.63
WATER FUND 3/8/2023	\$	124,605.70
RESERVE CVFD EQ.	\$	20,917.03
RESERVE DPW EQ.	\$	12,453.23
RESERVE WATER REPAIRS	\$	50,302.45
RESERVE FOR DEBT SERVICE	\$	283,278.05

RESOLUTION # 41

APPROVAL OF BILLS AND PAYROLL

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

PAYROLL General Fund, 3/03/2023	cks: 5892-5894	\$	3,313.35
PAYROLL Water Fund, 3/03/2023	cks: 5892-5894	\$	2,042.00
ABSTRACT March 8, 2023	General Cks: 9788-9799	\$	7,037.25
ABSTRACT March 8, 2023,	Water Cks: 9788-9799	\$	1,813.67

RESOLUTION # 42

EXECUTIVE SESSION TO DISCUSS PERSONEL

Motion made by Trustee Wilson to go into executive session to discuss personnel at 9:15 PM, seconded by Trustee Flaherty VOTE: 4 AYES, 0 NAYS

RESOLUTION # 43

CLOSE EXECUTIVE SESSION

Motion made by Trustee Wilson to come out of executive session at 9:45 PM, seconded by Trustee Flaherty VOTE: 4 AYES, 0 NAYS

RESOLUTION # 44

**Being no further business, Trustee Wilson moved to adjourn at 9:45 PM,
seconded by Trustee Cruver. VOTE 4 AYES, 0 NAYS.**

Respectfully Submitted,

**Annette McChesney
Deputy Village Clerk**