

**May 16, 2018**

The regular meeting of the Village of Cassadaga was held on May 16, 2018 at 7:00 PM with Deputy Mayor Bill Astry presiding. Trustees present included, Amanda Kalfas, Theresa Seibert and Cindy Flaherty. Also in attendance were Deputy Clerk Bonita Mazzone, Supt. of Public Works Sam Alaimo and Attorney Bill Duncanson Jr. Absent: Mayor Mary Jo Bauer.

**RESOLUTION # 255  
APPROVAL OF MINUTES**

A motion was made by Trustee Kalfas second by Trustee Flaherty to approve the minutes of May 16, 2018. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 256  
APPROVAL OF AGENDA**

A motion was made by Trustee Seibert, second by Trustee Flaherty to approve the agenda after adding Tax Warrant and Executive Session. VOTE: 3 AYES, 0 NAYS.

**GUESTS:**

Steve and Nancy Wickmark, 39 Pettit Place reported to the board that they suspended their business operations at the Red House on Frisbee Road. They are not taking reservations for future events and their website announces this. However, they will be hosting numerous private celebrations on the grounds by invitation only. Music will be ended by 10:00 PM and they will monitor all activities to avoid disruption in the neighborhood. They will not be charging private parties but will encourage them to make charitable donations of their choice. They agreed upon Trustee Seibert's request to disclose record of donations made by guests.

**ATTORNEY DUNCANSON'S REPORT:**

- Requested to go into Executive Session.
- A SEQR will be prepared ourselves if we move forward on Zoning amendment.
- Recommends we approve agreement of General Municipal Law 239-m Referral Exemption Agreement.

**RESOLUTION # 257  
MOVE INTO EXECUTIVE SESSION**

Trustee Kalfas moved, second by Trustee Flaherty to move into Executive Session to discuss Personnel matters and possible litigation at 7:08 PM. VOTE: 3 AYES, 0 NAYS.

**RESOLUTION # 258  
COME OUT OF EXECUTIVE SESSION**

Trustee Kalfas moved, second by Trustee Seibert to Come out of Executive Session at 7:58 PM. VOTE; 3 AYES, 0 NAYS.

**RESOLUTION # 259**

**APPROVE AGREEMENT OF GENERAL MUNICIPAL LAW 239-m REFERRAL EXEMPTION AGREEMENT**

Trustee Kalfas moved, second by Trustee Seibert to approve agreement with County Planning Board Exemption. VOTE: 3 AYES, 0 NAYS.

**General Municipal Law 239-m Referral Exemption Agreement**

Pursuant to NYS Municipal Law 239-m (GML 239-m), municipalities shall before taking final action on proposed actions, refer certain actions to the county planning agency for inter-community or county-wide considerations. In our case, the Chautauqua County Department of Planning & Economic Development (CCPED) has been granted the powers of GML 239-m Review by the County Planning Board. The Law also states that the county planning agency may enter into an agreement with the referring bodies to provide that certain proposed actions are of local, rather than inter-community or county-wide concern, and are not subject to referral under this action.

The actions that this agreement exempts from County GML 239-m Review are the following:

**Residential Area Variances**

- \* Rear & Side Building Setbacks
- \* Fences
- \* Decks
- \* Minimum Building Size
- \* Minimum Building Lot Size
- \* Size & Height of Garages
- \* Number of Storage Sheds
- \* Subdivision of Lots

**Special Use Permits**

- \* Renewals

I, Mary Jo Bauer, an authorized public official for the (Town, Village, Name of City) of Cassadaga, hereby enter into an agreement with the Chautauqua County Planning Board to forego the GML 239-m referral process for the aforementioned items. I also understand that by entering into this agreement does not mean we can't request a review for any of the items listed if we so choose, but rather we are not legally required to. It is also agreed and understood that this agreement may be discontinued by the Chautauqua County Planning in its sole discretion.

**MAYOR BAUER'S REPORT: Absent**

**CLERK-TREASURER ASTRY REPORT:**

- She reported that the taxes are ready to be picked up and Tax Warrant needs issuing.
- Received notice from Independent Health that the current employee health insurance will increase approximately 9.5% effective December 1, 2018.
- The Annual Water report will be sent to printer on Friday and it will be included with water and taxes being mailed at end of month.

- Reminded everyone that Fiscal Year end is at end of month all bills needs to be turned in as soon as possible.
- Questioned when officials will take office since elections have been moved to November and Organizational meeting.

**RESOLUTION # 260**

**CHANGE DATE OF ORGANIZATIONAL MEETING AND SWEARING IN OF ELECTED OFFICIALS.**

Trustee Kalfas moved, second by Trustee Seibert to change the Organizational Meeting to the first Wednesday in January henceforth and the term of office begins January 1st and swearing in will be the first Wednesday of January. VOTE: 3 AYES, 0 NAYS.

**DEPUTY CLERK BONITA MAZZONE:**

- She reported that she attended the So. Tier Municipal Conference on May 9<sup>th</sup> at Houghton College. She attended modules; Roundtable Discussion for Finance Officers, Clerks: Birth, Death and Marriage Records, What to Expect from an Audit, Lawful Games of Chance in NYS.

**SUPERINTENDENT OF PUBLIC WORKS: SAM ALAIMO**

- He reported that he is looking into cost of fencing for the compost pile. He will accept leaves at curbside if they are in a container he can dump from. Leaves, pine needles and cones should be separated from sticks. He will have separate spot for lake weeds at compost pile.
- He reported that the waterline on Mill Street was completed with restoration after waterline and hookups were completed. It went very well and everyone is pleased with their work. He has also taken pictures where each hook up is.
- He sold the John Deere lawnmower for \$3,800.
- He has fixed the mailbox at the Horton property on Frisbee Road.

**TRUSTEE KALFAS REPORT: No report-left at 8:30 PM**

**TRUSTEE ASTRY'S REPORT:**

- He reported the roof is being replaced on barn at 195 Maple Ave. this week. He put a man door on the barn for easier access.
- Suggests that we look into possibly putting concrete at pavilion at ballpark and enclose part of it for storage.
- During the interview process for Supt. of Public Works Mayor Bauer was stating that position was salary and would get comp time. However, that is not what is stated in handbook so we need to change it.

**RESOLUTION # 261**

**AMEND EMPLOYEE HANDBOOK ON OVERTIME**

Trustee Astry moved, second by Trustee Seibert that the Superintendent of Public Works receive straight comp time for hours worked over 40 hours per week. VOTE: 3 AYES, 0 NAYS.

**TRUSTEE FLAHERTY'S REPORT:**

- She will be holding interviews for beach staff on May 30<sup>th</sup> at 6:30 PM if anyone wants to sit in on them with her and Trustee Kalfas.
- CBC members are willing to weed the flowers at Ames Common but would like to have the DPW water them. They will be doing the planting Friday. She requested that garbage cans be placed at Ames Common and at bus stop.

**TRUSTEE SEIBERT'S REPORT:**

- Discussed CBC and members Rick and Jennifer Vahl want to have a Lighting up Cassadaga on December 1<sup>st</sup> with other activities.
- Would like to have board participate in Memorial Day Parade with a Float. She will discuss with Mayor Bauer.

**RESOLUTION # 262**

**APPROVAL OF THE FINANCIAL STATEMENTS**

Trustee Seibert moved, second by Trustee Flaherty to approve the Financial Statement for May 16, 2018. VOTE: 3 AYES, 0 NAYS.

GENERAL FUND:	\$271,955.69
WATER FUND	\$215,540.77
RESERVE CVFD EQUIPMENT	185.08
RESERVE DPW	\$ 41,259.48
RESERVE WATER REPAIRS	\$ 36,064.92
RESERVE FOR DEBT SERVICE	\$370,303.44

**RESOLUTION # 263**

**APPROVAL OF THE BILLS AND PAYROLL**

A motion was made by Trustee Seibert, second by Trustee Flaherty to pay bills as per the Abstract of May 16, 2018 and Payroll of May 18, 2018. VOTE: 3 AYES, 0 NAYS.

Abstract May 16, 2018 General Cks; 8033-8052	\$ 14,465.28
Abstract May 16, 2018 Water cks: 8033-8052	\$ 994.93
Payroll of May 18, 2018 General Cks: 5209-5210	\$ 2,333.68
Payroll of May 18, 2018 Water-Direct Dep. cks 5210	\$ 2,288.90

Being no further business, Trustee Seibert moved to adjourn the meeting, second by Trustee Flaherty at 8:50 PM. VOTE: 3 AYES, 0 NAYS.

Respectfully submitted,

Roxanne Astry  
Clerk Treasurer





