

**Regular Meeting of the Town Board**  
**Of the Town of Cuba**  
**UNAPPROVED**

Present:

Supervisor: Barbara Deming

Council Persons: Jerry Scott, Gary Gluck,

Also Present: Nancy Orcutt, Town Clerk, Gary Fries, Police Chief, and  
Ambulance Administrator, Steven Nease, Highway Supt.

Absent: Lynnford Sweet, Rob Carney, Council Persons

Supervisor Deming opened the regular meeting at 7PM with the Pledge of Allegiance.

**10 Minutes for Public Comments:** Jon Goliber from North Shore Road asked if there was any news from National Fuel about natural gas hook-ups for those around the Lake. Deming said she was referred to several people, and not one of them could help her find out how to initiate the process for extending service. Goliber stated he had the same results.

**Approve Minutes of Previous Meeting 07/12/2011:** Gluck motioned to accept the minutes as presented by the Clerk. Scott seconded the motion, all in favor, Minutes approved.

**Approve the Supervisor's Report for July 2011:** Scott motioned to accept the Supervisor's Report as given, seconded by Gluck, all in favor, motion passed. The General Fund received \$22,037.22 and dispersed \$209,312.12 while the Highway Fund received \$222.07 and dispersed \$60,993.99. The Capital Fund received and dispersed \$8,133.80. The General Fund included \$44,040.23 for the annual insurance policy and \$88,000 was the second payment for the capitalization of Sewer District #5.

**Approve General & Highway Abstract for August 2011:** The General Fund dispersed \$28,996.73, and Highway, \$100,860.64, and the Capital Fund, \$126.00. The DB Account includes \$79,866.79 in CHIPS funds to be reimbursed by September 15, 2011. Scott noted that voucher #507 is no longer in the budget. It is for \$1,250.00 billed by the Village for community beautification, mowing by the ramp to I-86. Deming asked to add a bill submitted late by the Clerk for envelopes for mailing out dog licenses. They include postage and return address, for \$540.60. Scott motioned to approve the Abstract, including the Village bill and envelopes, seconded by Gluck. All in favor, motion passed.

**Clerks Correspondence:** Notice was received from the County Treasurer that in 2010 the Town received \$450.09 for 75% of surplus apportioned dog funds, \$17,732.58 for mortgage tax and \$45,900.00 for snow removal.

A letter will be coming from the Board of Elections on the results of the pay raise for the Election Inspectors. Last month we voted no for a raise. Because the twenty-nine towns in the county did not agree, the County Legislators voted to give them \$9.25/hour this year and another seventy-five cents next year to bring them up to the \$10/hour.

A letter arrived from the VFW requesting a waiver of the open container law for several upcoming events. They are scheduled for August 20, 27, September 3, 10, and October 1, 2011. Scott motioned to grant the waiver, seconded by Gluck, motion passed. They also submitted a letter of intent to renew their liquor license. They are trying to have the license extended to their patio so they will not have to ask for these waivers in the future.

**Board Comments:** Deming received a thank you from Donna Burdick for the financial help given to the cemetery. She also included area charges for burial of either ashes or adult interments for reference. Deming also noted that a bill was received from the State for \$402.34 as a surcharge on unemployment tax.

**Police Department Comments:** Cuba Police responded to 370 calls for service with 37 cases developed. There were 26 traffic summons issued and 11 motor vehicle accidents.

**Ambulance Comments:** Cuba Ambulance responded to 24 calls. Out of these, ten were Critical Care, Cuba handled six, and Olean 10 handled four. There was a crew on standby for the July 4 activities at the Lake. The new ambulance is now slated for September delivery. There has been a request for the squad to be on standby for the Peewee and Midget Football teams. Letters will be sent to the Rushford and Friendship Ambulance Squads to ask for help on filling in for these games. Their communities are involved in the activities, and this would provide relief for Cuba.

**Fire Department Comments:** Kevin Nutt reported Cuba 6 and Cuba 7 have been examined and organized. Ethanol stabilizers are being installed on the gasoline small engines. Two pumps ordered for pumping out basements. The Department will buy one; the other is to come out of the budget. Driver training is this month to qualify all drivers. Scott asked if Nutt had an estimate of how much the CFD spends on average for calls to I-86. Nutt is still working on a figure and will have that for next meeting.

**Highway Department Comments:** Projects for the month of July included: mix paved .8 miles on N. Branch Rd., .25 miles on Townline Rd. with assistance from Belfast, Friendship, Genesee, and Hinsdale. Graded and rolled Dekay and Stowell Hill, repaired Collier Rd. with some asphalt millings. Hot patched Spring Valley Rd., ditching on Hubbell Hill and shoulder repairs on Jackson Hill and N. Branch roads. Removal of a tree from Summit Rd., the fire dept. assisted with in cleaning a sluice pipe on Farnsworth Rd. Assistance was given to Belfast with two trucks and manpower, Belfast with a roller, truck, and manpower, and Friendship with a truck and a man.

**Code Enforcement:** The Clerk read Walt Putt's report. Final inspections and Certificate of Occupancy were done for 245 W. Shore Rd., and one on Little Rd. for new homes. Two permits were written for roof repair, an insulation inspection was done for a house on S. Shore Rd., and a chimney footer inspection on W. Shore Rd.

**Dog Control:** The Clerk read Steiner's report. With six incidents reported, one was concerning dogs running at large and chasing a walker on Prospect St. The dogs were immediately contained upon notification. One call turned over to the SPCA Cruelty. There were dogs excessively barking on S. Shore Rd. while owners were at work. The owners will try to resolve the situation. Someone reported to have found a dog on W. Main St., when Steiner arrived, no one answered the door. A report of a lost dog came in and the person was referred to Joyful Rescues, as the dog had just been dropped off. A Friendship resident called to report her dog missing, and asked to be on the look out. Dog found soon after.

**Old Business:**

**Town Hall:** Mike Canada completed the survey on the property where the Town Hall is to be. This property includes both sides of Water St. The survey shows the driveway area on the Keller St. side of the property is wider than originally thought. Superior Walls sent a more accurate quote for just the walls of the building. The job will go out for bid, but the Town can specify the type of walls wanted. Drawings are complete for the floor plan. It will need to be certified. After they are certified, they will be forwarded to Rural Development for application of a Grant.

**Sewer District Restorations:** Things seem to have come to a standstill. Blue Heron and Clark Patterson Lee are aware the restoration is still incomplete due to numerous phone calls from Deming. There has been no response from Blue Heron as to when restoration will be completed. Payment will be withheld until the Town is satisfied with completion.

**Dog Control:** Tabled until after executive session.

**Single Audit :** The audit is completed but not fully compiled. This will have to go to EFC before we can go to long term funding. The restoration also needs to be complete for this to happen.

**FEMA Projects:** There are so many projects that need to be done from the recent storms that it is taking a lot of time to get them all approved through FEMA. Cuba has not been looked at yet and Nease commented he will not purchase and materials until he knows the projects will be funded.

**New Business:**

**Hazard Mitigation Plan Resolution:** The County has initiated a Resolution to formally adopt the Plan. FEMA considers the Plan five-year period as set upon the signing by the first municipality, however we do not individually become eligible for funding under the Plan until we adopt via resolution and FEMA receives a certified copy of the resolution. Deming then read the resolution and Scott motioned to adopt the resolution, seconded by Gluck, all in favor, motion passed. The Resolution is attached at the end of the Minutes.

**Road Use and Repair Agreement:** Tabled until September when we can have someone from the County appear at the meeting to explain it in detail.

**Time Warner Cable Franchise:** It is time to renew the ten-year franchise for the cable. Kevin Nutt suggested the Town amend the contract to include properly maintaining road access to the property located at 9075 Spring St. As it is now, if an emergency call comes in, the emergency personnel are unable to access the property because of the current road conditions. Scott requested Nutt draw up a letter that includes the requirements for emergency personnel to gain access. It has been requested of them in the past to do something to no avail. The signing of the contract is tabled until Septembers' meeting.

At 7:56 PM, Scott motioned to adjourn the meeting to go into Executive Session, seconded by Gluck, all in favor, motion passed. This portion of the meeting is to discuss personnel.

At 9:09 PM, the regular meeting reopened where Scott stated the Police Department provides 152 hours of coverage every week. Full time personnel provide 120 hours of coverage with part-time picking up the other 32 hours plus days off, sick days, personal days, training days, and vacation days. Being they are part-time, this saves the Town a great deal of money. In light of now losing four of the current part-timers, Scott motioned to hire Matthew Sirianni as part-time police officer to help provide the necessary coverage. This was seconded by Deming, all in favor, motion carried.

Gluck motioned to advertise for a permanent Dog Control Officer, seconded by Scott, all in favor, motion passed. This is being done now that there is confirmation that Claudette Haynes is not returning.

Gluck motioned to accept the Univera VC 65 Plan for the insurance renewal. Scott seconded, all in favor, motion passed. This will be an annual savings of \$5,200.

At 9:15 PM, the meeting was adjourned on the motion of Gluck and second of Scott.

Next meeting will be on September 13, 2011 at the Library meeting room.

Respectfully Submitted,  
Nancy A. Orcutt, Town Clerk

Special Meeting  
Of the Town Board of the Town of Cuba  
Held at 5 Bull St., Cuba NY

Present:

Supervisor: Barbara Deming

Council Persons: Jerry Scott, Gary Gluck, Lynnford Sweet, Rob Carney

Also Present: Nancy Orcutt, Town Clerk, Gary Fries, Police Chief, and  
Dustin Burch, Police Officer

Supervisor Deming called the meeting to order at 6:30 PM. Scott motioned to enter executive session to discuss Police Personnel. Sweet seconded the motion, and all were in favor.

The meeting reopened at 6:50 PM, where Sweet moved to accept the resignation of Chief Gary Fries, due to retirement. Carney seconded, all in favor, motion passed. Fries retirement is effective as of August 31, 2011. Scott then motioned to hire Fries on September 2, 2011 as a part-time police officer. With a second from Carney and agreement of the rest of the Board, motion carried.

Next, Sweet motioned to appoint Police Officer Dustin Burch as Chief of Police with a probationary period of three months ending December 1, 2011. He will be given a five-year contract. Gluck seconded the motion, all agreed, motion carried.

Last, Gluck motioned to promote Aaron Wight to temporary full time patrol officer. Sweet seconded the motion, all in favor, motion passed.

Sweet moved to close the meeting at 6:53 PM, seconded by Carney, motion passed.

Respectfully Submitted,

Nancy A Orcutt