

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

Present:

Supervisor: Barbara Deming

Council Persons: Jerry Scott, Gary Gluck, Robert Carney

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

Absent: Lynnford Sweet

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

**10 Minutes for Public Comments:** Mary Lindquist asked what the Boards' experience was for their first year in office. Deming responded she attended Supervisors classes before she became Supervisor and attended many meetings and public hearings before becoming a board member. Scott noted he attended 14 board meetings before taking office. He became involved of the Village Zoning Board and is now the Chair of the Board. He continued schooling through Southern Tier West and is now involved with them as well. Gluck had no prior experience but was involved in the community through work and organizations. Carney stated he had no prior schooling but did attend several meetings before running for the Board. Cale Ungermann stated he felt Ungermann Road should be repaired before winter to avoid abuse to the plow trucks. Nease commented he was aware of the condition.

**Approve Minutes of Previous Meeting 09/13/2011:** Carney motioned to accept the Minutes as presented by the Clerk. Gluck seconded the motion, all in favor, Minutes approved.

**Approve the Supervisor's Report for September 2011:** Scott motioned to accept the Supervisor's Report as given, seconded by Gluck, all in favor, motion passed. The General Fund received \$20,760.24 and dispersed \$84,667.28 while the Highway Fund received \$95,114.88 and dispersed \$73,046.46. The Capital Fund did not receive or disperse any funds.

**Approve General & Highway Abstract for October 2011:** The General Fund dispersed \$39,631.01, and Highway, \$10,652.88, and the Capital Fund, \$400.00. Scott motioned to approve the Abstract, seconded by Carney. All in favor, motion passed.

**Clerks Correspondence:** The Board of Legislators have released the equalization rate and it states Cuba is at 100%. The Games of Chance License for the Fire Department has been approved and mailed.

**Board Comments:** Carney thanked the Town for the flowers sent upon the passing of his father-in-law, Leroy Blake.

**Police Department Comments:** Cuba Police responded to 378 calls to service and developed 54 cases from these calls. There were 35 traffic summons issued (11 in the town, 9 in the village and 15 on the lake). The Police Department also handled 16 lockouts, 4 parking tickets, 18 other agency assists, and 2 domestic disputes. The police department would like to thank the organizers of the Garlic Festival on their preparation for parking they made the traffic flow for this year's event much smoother and helped the officers tremendously. Residents are beginning to drop off expired prescription pills at the station for safe disposal. There will be a meeting at the community center on October 13<sup>th</sup> for the public to discuss prescription pill abuse. All residents are welcome to attend. The police department is in the beginning phases of creating a neighborhood watch program. Signs will be ordered and a meeting will be set up in the near future. Any resident will be encouraged and welcomed to attend and voice concerns.

**Ambulance Comments:** Cuba Ambulance responded to 37 calls in September, with 26 being transported to OGH. 1 transport was to Jones. Out of these 5 were critical care with Cuba handling 4 and Olean 10 handling 1. There was 1 sign off. The ambulance also was on scene at the Garlic Festival and they were on stand-by at 7 football games.

**Fire Department Comments:** Fire Chief Kevin Nutt reported 8 calls to service for the month. Activities for October include Fire prevention at school, homecoming parade, and bonfire at school, ladder training, equipment, hazmat training, and Halloween watch at the fire hall. Nutt reported that in 2010 there were 10 calls on the I-86 for a total of 9 hours and 47 minutes of duty. Average number of men at these calls is 10. Scott asked if he would now give him the average cost of these calls. This is part of the price of having an interstate run through our town. Deming noted that the letter has been sent to Time Warner Cable about the condition of the road to the tower. They are not aware of any equipment of value up there or that there is even an alarm system for the equipment. They are having a conference with there lawyer and will respond after this.

**Highway Department Comments:** Projects for the month of September were install sluice pipes on Bump and Beebe roads, graded Bump, Hopkins, Beebe and Hubbell Hill, ditching on Health Camp and Beebe Hill, hot patching on North Branch. Other accomplishments are repaired shoulders on Jackson Hill, widened a short section on Beebe Hill, started mowing second time around, assisted friendship and Genesee chip sealing, and met with Fema and Semo reps about damage in April. Reimbursement funding is coming for damage repaired. Equipment Repairs included 2009 Peterbilt, oil change and service right rear brake repaired and a low coolant sensor replaced, 1996 international, 1 injector and 1 valve head replaced, 1999 Mack, oil change and service, and 1990 Rhino mower repaired.

**Code Enforcement:** September 14 through October 5 report was read by the Clerk. Inspected an extension of a pad for a new mobile home on Route 305, issued 4 permits for roof repairs, and addition on Smith Road, deck on South Shore Road, and a demo of a garage on North Shore Road. An inspection of footers was done on West Shore Road.

**Dog Control:** The Clerk summarized Steiner's report. One dog was found and returned, received 2 calls for missing dogs from other towns, 1 call for dog running at large, found and returned, 1 dog was chasing cats and 2 cases of dogs running at large, complainants stated they would submit deposition for action to be taken.

**Old Business:**

**Town Hall:** Nothing to report at this time.

**Sewer District Board:** Appointed to the board were Lynn Sweet, Dana Harvey, and Tom Swift.

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

**Single Audit:** The report came October 10 and needs to be examined before further action is taken.

**Board of Ethics:** Appointed to the board are Dustin Burch, Gary Gluck, and Jerry Scott. This becomes effective January 1, 2012.

**Road Use and Repair Agreement:** After a brief discussion, Scott motioned to adopt the resolution, seconded by Gluck, Deming agreed, Carney abstained. A copy of this resolution is attached at the end of the Minutes.

**New Ambulance:** A resolution was offered by Gluck, seconded by Carney to B.A.N. the new ambulance. Roll call vote shows Deming, Scott, Carney and Gluck all voting yes, Sweet is absent. The plan for financing is a credit of \$6,000 trade in value, and payment of \$47,425 from the Town Emergency Equipment Reserve Fund, and by the issuance of \$85,000 in serial bonds. A copy of this B.A.N. is on file in the Town Clerk's Office.

**Fire District:** There will be an informational meeting with the Fire Department and their lawyers to explain how the district operates. Carney made the resolution to hold a joint meeting between the Town and Village to be scheduled at a later time and date. This was seconded by Scott, all in favor, resolution passed.

**New Business:**

**Local Law to Exceed Tax Cap:** Because the Sewer District No. 5 is not yet in long term financing, we may not meet the 2% tax cap. Deming believes we can,

but in the event EFC provides us with a dollar figure for the budget that exceeds \$90,000, will not be able to meet the cap. After some discussion, Scott made the resolution to have a Local Law to exceed the tax cap in the event we exceed the 2% cap. Gluck seconded the resolution, roll call vote shows, Deming, Scott, Gluck voting yes, Carney, no, Sweet, absent. Resolution passed. A Public Hearing will be held on November 9, 2011 at 6:00 PM at the library.

**Hazard Mitigation Plan:** After a brief discussion, Carney motioned to adopt the resolution to become a part of the County Hazard Mitigation Plan so the Town may collect FEMA money in the event of a disaster. The second was offered by Gluck. A roll call vote shows Deming, Scott, Carney, and Gluck voting yes. Sweet is absent. Resolution adopted.

**November Meeting:** Because our regularly scheduled meeting is on Election Day, the board has chosen to change the date to November 9, 2011.

**Cemetery:** The cemetery is receiving land as a gift. Sixteen acres is swampland and the cemetery would like the Town to take over these acres. If a cemetery is over 30 acres, Funeral Directors cannot serve on the Board. This is the case for Cuba. Subject was tabled until more information is gathered.

At 8:00 PM, Carney 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 8:15 PM, the regular meeting reopened. With no further business to discuss, the meeting was adjourned by motion made by Carney, seconded by Deming.

Next meeting will be on November 9, 2011 at the Library meeting room, 7PM.

Respectfully Submitted,

Nancy A. Orcutt, Town Clerk