

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

Held at the Cuba Circulating Library, 39 E. Main St., Cuba, NY

Present:

Supervisor:

Barbara Deming

Council Persons:

Robert Carney, Lynnford Sweet, Joseph Miller, Jeffrey Dahill

Also Present:

Nancy Orcutt, Town Clerk, Dustin Burch, Police Chief,  
Gary Fries, Ambulance Administrator

Absent:

Steven Nease, Highway Supt.

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

**10 Minutes for Public Comments:** Chris Travis from Cuba Lake brought to the attention of the Board of a problem he is experiencing with the Sewer District. After some discussion, Deming stated she would find the underlying cause of the situation and see that the problem is rectified.

**Approve Minutes of Previous Meeting 03/13/2012:** Sweet motioned to accept the Minutes as presented by the Clerk; Carney seconded the motion, all in favor, Minutes approved.

**Approve the Supervisor's Report for March 2012:** Sweet motioned to accept the Supervisor's Report as given, seconded by Dahill, all in favor motion passed. The General Fund received \$21,857.58, disbursed \$128,488.08, while the Highway Fund received \$49,608.22, and disbursed \$113,248.80. The Capital Fund received and disbursed \$77,680.69. The General Fund total includes taxes collected for the Lake District and the Fire Department and the Highway Fund includes three Bond Anticipation Notes.

**Approve General & Highway Abstract for April 2012:** The General Fund disbursed \$39,386.35, Highway, \$11,533.68, and the Capital Fund, \$207,622.50. Sweet motioned to approve the Abstract, seconded by Carney. All in favor, Abstract approved.

**Clerk's Correspondence:** An amendment needs added to the current Agreement between the Town and Joyful Rescues. The agreement needs to include the fact the Town agrees to allow Joyful Rescues to collect \$10/day boarding fee. When a rabies vaccine is required for the dog before redeemed by the owner, a \$20 fee is acceptable. These fees cover the expense of the kennel to take proper care of the dog. Dahill motioned to approve the amendment, seconded by Carney, all in favor, motion approved.

A report required by the State Comptroller's Office for all employees in the Retirement System who does not punch a time clock is due. This year the employees who had to submit a work sheet for hours worked are Steven Nease and Merlin Briggs. Sweet motioned to have the Clerk file the proper paperwork with OSC and post the required documents. This was seconded by Miller, all in favor, motion passed.

Moonwink's and Carpies have submitted their application to the State Liquor Board for the renewal of their liquor license for the upcoming year.

The VFW has asked for a waiver of the open container law for the following events; Fundraiser for the VA Van Service on May 12<sup>th</sup> and CRCS Alumni Association on July 14<sup>th</sup>. Sweet motioned to allow the waiver, seconded by Dahill. All in favor, motion passed.

**Board Comments:** Carney commented on how good of shape the Town roads seem to be in for this time of year. He feels the Highway Department is doing a great job.

**Police Department Comments:** Cuba Police responded to 222 calls to service and developed 48 cases from these calls. The PD handled 12 motor vehicle accidents, 9 in the Town, 2 in the Village, and 0 on I-86. There were 24-traffic summons issued, nine in the Town, six in the Village, 9 on the Lake, and zero on I-86. The Department also handled 0 noise complaints, 4 motorist assists, 13 vehicle lockouts, 4 parking tickets, 8 other agency assist and 3 domestic disputes. The Police Department assisted the Ambulance on four calls.

The Department conducted one safety car seat installation. Three pill drop-offs are completed and seven gunlocks handed out. The department speed radar trailer is in the process of being restored and once finished, will be placed out on a regular basis at different locations in the Town/Village/Lake areas to try to combat/deter violators and help address the complaints of speeding that we are receiving from numerous residents. A bike rodeo is in the works for June.

Bulletproof vests are now mandatory for standard uniforms. A Grant will pay for half the cost of these for the department.

As of March 14, 2012, Joseph Frederick has resigned from the Police Department.

**Ambulance Comments:** Cuba Ambulance responded to 18 calls in March. Of these, seventeen patients transported to OGH, eleven of these were in the village, one for New Hudson and five in the township. There were three Critical Care calls; two handled by Olean 10 and 1 by Cuba. There was one stand-by for the Cuba Police Department on a missing person.

Fries, Botens and Appleby met with Jerry Cummins from Allegany Fire and Ambulance Department this last week to go over the Electronic PCR format. Once the letter is received from WREMS, the department can be logged into the National Registry and begin tracking and submitting runs.

A problem to overcome is that these calls need submitted within the hour of dropping the patient off. The building now occupied will need to have internet hook up or the Police Chief's office will be used to submit the reports. With a laptop, reports can be started on the way back and complete once back in service, but will still need to be transmitted. Deming suggested the internet and a phone line be installed in the new building. At this time, Fries plan using the Registry to put the Department and personnel on line and the submission of PCR's later.

Fries has provided information on a billing company that may save time as far as having to manually send forms to Med Ex. Deming suggests the Town compare the two companies.

**Fire Department Comments:**

- ✓ Cuba One, pump packing repaired
- ✓ Annual physicals and fit tests this month
- ✓ Training on electric vehicles

**Highway Department Comments:**

There is no report this month.

**Code Enforcement Report:**

- ✓ Issued permit for a deck on South Shore Road
- ✓ Issued permit for a roof repair on Hubbell Hill Road
- ✓ Issued permit for a wood stove on Hill Top Road
- ✓ Issued permit for a pole barn on Youngs Road
- ✓

**Dog Control Report:**

- ✓ Picked up two dogs running at large and delivered them to Joyful Rescues.
- ✓ Received a call from Linda Botens who found a dog running at large with tags and collar. After spending 3 hours looking for the owner, she put it in the Kennel on Bull Street and called Patterer. Patterer went to kennel, looked up ID number; saw dog was licensed and vaccinated, and returned dog to owner.
- ✓ Dangerous dog complaint filed.
- ✓ Unable to locate dog running at large
- ✓ Called Joyful Rescues for another dog running at large (call came just as Patterer arrived at work)
- ✓ Called Cuba PD for assistance for a dog running at large. Took dog to caller from days prior to identify as the one she saw earlier, confirmed. Took dog to kennel on Bull Street and then to Joyful Rescues.
- ✓ Complaint of a pit bull running loose in the Village. Upon arrival, dog ran home. Discovered two more dogs at the residence. None had vaccines or licenses. Gave owners 10 days to license.
- ✓ As a result of dangerous dog complaint, made court appearance where judge deemed dog dangerous and steps taken to control the situation.
- ✓ Delivered final paperwork to owner of dog deemed dangerous.

**Old Business:****Fire District:**

The Town needs to finalize the Fire District formation. Sweet motioned to proceed with the Fire District, seconded by Dahill. With the approval of the entire Board, motion carried.

Next was the Resolution to for appointing the initial commissioners of the Cuba Joint Fire District. Again, Sweet motioned to accept the suggested Commissioners and Treasurer. A copy of the Resolution is attached at the end of the Minutes.

**Sewer District #5:** No new information.

**Highway Reserve Account:** A Public Hearing will be set for 6:45PM on May 8, 2012 to hear those for or against the setting up of a Highway Reserve Fund.

**New Business:**

**County Diversion Program:** This is a program to help retain some of the fines from the court to stay in Cuba instead of going to the State of New York. It will only include first time offenders of minor infractions. They would plead guilty to a lesser offence and pay a maximum fine. It will keep them from getting points on their license and a greater portion of the fine remains in the Town. The Town would appoint a Prosecutor for the position. Approval needs granted from the County before the Town can go forward with the process. A letter will be sent requesting permission to put this idea in place.

**Award Mower Bid:** Two bids were received for the purchase of a new side mounted mower. One from Lakeland Equipment in Avon was for \$8,338.38 with no allowance for trade-in. The second was from Zahm and Matson, Inc. in Falconer for \$7,280.00 and a \$2,200 allowance for trade-in for a final cost of \$5,080.00. Nease reviewed the bids and found both bids were for the same piece of equipment with the same warranty. He has suggested going with Zahm and Matson. Sweet motioned to purchase the mower from Zahm and Matson for the cost of \$5,080.00, seconded by Miller. All in favor, motion passed.

**Police Part-time Competitive:** Burch has suggested a part-time competitive program to help save expenses in the Police Department. Currently under Civil Service, part-time officers may only work 20 hours a week. By switching the status to part-time competitive, it will allow the officers to work more hours when someone is needed to fill in. It keeps the same familiar faces in the community presence and creates a sense of security. It allows the officers to follow up on cases better, and if a full-time officer is out sick/vacation, saves the Town payroll by allowing a part-time officer to cover the shifts. When offered to locals, there would be lower turnover in personnel. After the discussion, Sweet motioned to have Burch take the appropriate steps to put the plan in place. Dahill seconded the motion, all in favor, motion passed.

At 8:08PM, Carney motioned to adjourn, seconded by Sweet, all in favor, meeting adjourned.

The next meeting will be held on May 8, 2012 at the Cuba Library meeting room at 7PM.

Respectfully Submitted,

Nancy A. Orcutt  
Town Clerk  
Town of Cuba