

**Regular Meeting**  
**Of the Town Board of the Town of Cuba**  
 Held at the Cuba Library, 39 East Main Street, Cuba, NY

**Present:**

Supervisor: Barbara Deming  
 Council Persons: Robert Carney, Joseph Miller, Jeffrey Dahill, Steven Nease  
 Also, Present: Nancy Orcutt, Town Clerk, Chad Smith, Highway Supt.  
 Absent: Dustin Burch, Police Chief & Ambulance Administrator

Supervisor Deming called the meeting to order with the Pledge of Allegiance at 7:00pm.

**Public Comments:** None at this time.

**Approve Minutes of Previous Meeting 06/10 & 06/14/2014:** Dahill motioned to accept the Minutes as presented. Nease seconded, all in agreement, motion passed.

**Approve Supervisor's Report for June:** The Supervisor's Report showed the General Fund received \$37,042.91 and disbursed \$76,850.47; Highway Fund received \$2,005.39 and disbursed \$20,450.77. Carney motioned to approve the Supervisor's Report as presented, seconded by Nease. All in favor, motion passed.

**Approve General & Highway Abstracts for June:** Carney motioned to approve the Abstract seconded by Nease. All in favor, motion passed. The General Fund is \$74,607.21; Highway Fund is \$274,540.87 and first payment on the sewer project, \$37,900.00.

**Board Comments:** No comments at this time.

**Clerk's Comments:** Kurt Hamilton from 5391 Little Road stopped in the Clerk's Office to say thank you to the Highway Department for their prompt response to replacing a crushed sluice pipe at his home.

Last month Orcutt made a pitch to be able to accept credit/debit cards in her office. As the paper work was being completed for the process, several issues came to light that made the offer much less desirable. Orcutt stated this was not the company with which the Town should deal on this matter.

**Police Department Comments:** Cuba Police responded to 327 calls to service in June and developed 28 cases. The Police Department handled 11 motor vehicle accidents, 2 in the Town, 8 in the Village, 1 on the Lake and 0 on I-86. There were 51 traffic summons issued (3 in the Town, 8 in the Village, and 40 on the Lake). The Department also handled 2 noise complaint, 9 motorist assists, 5 vehicle lock-outs, 2 parking tickets, and 2 domestic disputes. The Police Department assisted the Ambulance on 11 calls. Patrols monitored the elementary and high school zones and completed 19 walkthroughs.

**Ambulance Comments:** Cuba Ambulance responded to 34 calls for service in the month of June. 25 of those calls were taken to Olean General Hospital, 1 were taken to Jones Memorial Hospital and 2 were sign offs. 16 of these calls were critical care with Cuba

handling 9 and MTS 2, and Olean 10 handling 5. 18 of these calls were in the Village of Cuba, 8 in the Town of Cuba, 0 on the Lake, 8 in New Hudson

**Highway Department Comments:**

Work performed in June included the following services:

- Cleaned ditches on Townline, Beebe Hill, Spring Valley and Stout roads
- Changed crossover pipes on Stout and Beebe hill roads
- Put in driveway pipes on Little and Dekay roads
- Patching potholes
- Re-profiled Beebe hill Road
- Re-profiled parts of Jackson Hill, Spring Valley and Stout roads

Equipment Repairs:

- Took 2013 Freightliner to Buffalo for warranty issues
- Replaced blades on bush hog mower

**Dog Control Officer Comments:**

- ❖ Responded to a dog attack and worked with Cuba PD in getting all information from owners and witnesses
- ❖ Seized pit bull from previous incident and set up dangerous dog court hearing
- ❖ Pit bull also bit someone, dog put in 10 day quarantine area and cared for during this time frame
- ❖ Attended dangerous dog hearing, dog deemed dangerous.
- ❖ Worked with Cuba PD on obtaining information on another two pit bulls that attacked at least 3 other dogs...

**Code Enforcement Comments:**

- Certificate of completion for solar panels was written for a Bradley Ave. project
- Permit written for solar panel installation at 4328 Route 305
- Permit written for and above ground pool at 9545 Watt Road
- New deck permit written for 336 North Shore Road

**Old Business:**

**Town Hall Progress:** Deming requested permission to sign the check for the purchase of the Karn property. She reminded everyone the Town is paying \$10,000 for the lot in front of the Town Hall and that Karns are paying the Town the same for the lot between Karns and Five Star Bank. Carney motioned for Deming to sign the check for the purchase of the lot to become the Town Hall parking lot. This was seconded by Dahill. All in favor, motion passed.

**Appointment to the Board of Review:** The Town needs to appoint someone to the position of Board of Assessment Review. An ad will be placed in the Patriot. Anyone wishing to apply for the position is to contact the Clerk at 13 W. Main St. during regular business hours or by mail.

**Truck BAN:** The BAN for the new highway truck will be signed on July 9, 2014.

**New Business:**

**County Legislator Clam Bake:** The clam bake will be held on July 25 at Island Park in Wellsville. Tickets are \$35 and can be purchased from any legislator.

**Police Dept. Website:** Last month Chief Burch spoke of the need for a secured website for the Department. It is necessary for many daily functions as well as grant applications. There is a company that can supply what is needed for \$119 a year. Dahill motioned to spend the money on it and review the situation in one year. Second came from Carney, all in favor, motion passed.

**ACH Agreement with Five Star Bank:** Carney motioned the agreement to be signed as it is necessary to move money from account to account and receive government payments. Nease seconded the motion, all agreed, and passed.

A motion to adjourn to executive session to discuss personnel was made by Dahill and seconded by Carney at 7:26pm. All in favor, passed.

At 8:04 pm, the meeting reopened only to be adjourned with motion from Dahill, second from Miller and agreement of the Board.

Respectfully Submitted,

Nancy A. Orcutt  
Town Clerk, Town of Cuba

DRAFT

Resolution of the [village, town/city of] CUBA

Concerning: Local Control of Speed Limits

Date: 5-13-14

WHEREAS, lowering speeds on our local roads can be an effective way to improve the safety of our community. Speed kills. Vehicles traveling at higher speeds cause more crashes because drivers don't have time to slow down. Crashes at higher speeds are also more deadly, because of the physics involved. Vehicle on pedestrian crashes that occur at 30 mph are ten times as deadly as crashes which happen at 20 mph.

WHEREAS, lowering speeds is especially important in areas that attract pedestrian traffic—such as business and residential areas—and where children congregate, given that children lack the ability to accurately perceive vehicle speeds until they begin puberty. In 2012, New York State had the worst record in the nation for pedestrian and bicyclist fatalities—27% of the fatalities on our roads were either a pedestrian or a bicyclist. These are preventable deaths.

WHEREAS, despite the fact that New York State is a home rule state, existing state law prohibits municipalities from setting their own speed limits. Villages and cities can lower their speed limits to 25 on a street-by-street basis, but counties and non-suburban towns must petition the Department of Transportation to do even that. No municipality can adopt an area speed limit that is lower than 30 miles per hour. In order to attain the authority to change the limit, municipalities must get a state law passed, a time-consuming procedure that is rarely successful. There are 932 towns, 62 cities, 551 villages, and 62 counties in New York State. Changing the law one municipality at a time is a piecemeal approach that makes no sense.

WHEREAS, villages, towns and cities with the power to choose a lower speed limit would have a powerful, low-cost tool to create calmer and safer streets; and calmer streets have been proven to promote retail activity and increase residential property values.

WHEREAS, our constituents, correctly, hold us accountable for their health, safety and welfare in a way that comports with our jurisdictions' distinct characteristics. In order to protect them and help our communities thrive, we need the ability to set our localities' own speed limit. To force an inflexible, one-size-fits-all statutory scheme on all of us is an untenable state mandate.

NOW, THEREFORE, BE IT RESOLVED that the [village, town, city] of [CUBA] recognizes the importance of local decision-making in a home rule state, and asserts that municipalities should have the authority to lower the speed limit on local roads, in appropriate areas, to improve the safety of our New York State communities.

**BE IT FURTHER RESOLVED** that the [village, town, city] [board, council] authorizes the [Mayor/Supervisor] to sign on to the attached letter to the Governor requesting that the state law be changed to provide municipalities with more home-rule authority over speed limits.

**BE IT FURTHER RESOLVED** that this resolution will be sent to:

Our state senator and assembly member  
Senator Robach, Chair of the NYS Senate Transportation Committee  
Assemblyman Gantt, Chair of the NYS Assembly Transportation Committee  
Speaker Silver  
Senate Majority Leader Skelos  
Senate Majority Leader Klein  
Governor Cuomo