

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

Held at the Cuba Library, 39 East Main Street, Cuba, NY

**Present:**

Supervisor: Robert Carney  
 Council Persons: Joseph Miller, Steven Nease, Daniel McGraw  
 Also, Present: Nancy Orcutt, Town Clerk, Chad Smith, Highway Supt.,  
 Dustin Burch, Police Chief & Ambulance Administrator,  
 Julie Schmidt, Representative of Senator Catherine Young  
 Absent: Jerry Scott, Council Person

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

Supervisor Carney welcomed everyone and stated the reason for this meeting is to discuss why the Town cannot enforce our Local Law #1 of 2012, "Town of Cuba Sex Offender Residency Restriction Local Law". At last month's meeting, Supervisor Carney instructed the Cuba Police Department to only enforce New York States law.

He introduced Julie Schmidt, a representative sent from Senator Young's office, who explained what has happened so far to help municipalities to gain better control over this issue. There are nine bills that have been introduced by a Senate Coalition to close dangerous loopholes in New York State's law over sex offenders. These bills need to pass through both houses and be signed by to Governor to become law. There is no telling how long this will take. This all came about when a convicted sex offender in Nassau County was jailed for living within 500 feet of a school, a violation of the local law in that area. When he was released, he challenged the law, which was overturned by the Supreme Court. This in turn, changed the legality of all local laws restricting where sex offenders could live. If you have any questions or concerns, you are encouraged to contact Julie Schmidt at 716-372-4901 or [jschmidt@nysenate.gov](mailto:jschmidt@nysenate.gov). You may also contact your local police department. You can check on offenders in your area by looking on the NYS Division of Criminal Justice website. The Cuba website, cubany.org has the offenders registered in Cuba listed.

The meeting was adjourned at 7:24pm with a motion made by Miller and seconded by McGraw.

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

Held at the Cuba Library, 39 East Main Street, Cuba, NY

**Present:**

Supervisor: Robert Carney  
 Council Persons: Joseph Miller, Steven Nease, Daniel McGraw  
 Also, Present: Nancy Orcutt, Town Clerk, Chad Smith, Highway Supt.,  
 Dustin Burch, Police Chief & Ambulance Administrator,  
 Absent: Jerry Scott, Council Person

Supervisor Carney called the meeting to order with the Pledge of Allegiance at 7:28pm.

**Public Comments:** There are no comments at this time.

**Approve Minutes of Previous Meeting 3/20/2015:** McGraw motioned to accept the Minutes as presented. Miller seconded, all in agreement, motion passed.

**Approve Supervisor's Report for March:** The General Fund received \$8,355.59 and disbursed \$55,473.56 while the Highway Fund Received \$.00 and disbursed \$73,138.45. The Water and Sewer Fund Received \$3,621.17 and disbursed \$3,254.07 and the Building Fund received \$2.69 (interest on the account) and disbursed \$5,697.84. McGraw motioned to accept the Supervisor's Report as presented, seconded by Miller. All in favor, passed.

**Approve General & Highway Abstracts for April:** Miller motioned to approve the Abstract , McGraw seconded, all agreed, passed. The General Fund is \$51,727.89 The Highway Fund totaled \$29,888.99, and the Sewer Fund was \$10,317.92.

**Board Comments:** Miller is trying to set up secure email accounts for the Police Department. After some discussion, McGraw motioned to purchase a domain and have it redirected to the Cuba site, at a cost of no larger than \$200. Nease seconded the motion. All in favor, passed.

**Clerk's Comments:** The VFW has asked for a waiver of the open container law from April 6 through December 31, 2015. After some discussion, the will only approve specific dates, not a blanket waiver. The NYS Department of Labor has notified the Town of the approval of the continuance of the smokeless powder magazine at Jan's Outdoor Supply located at 13 W. Main St. Stewart Freeman submitted an application for renewal of the junk yard located on Route 446 for April 1 through March 31, 2015. Miller motioned to approve the renewal, seconded by Nease. All agree, passed.

**Police Department Comments:** Cuba Police responded to 322 calls to service in March and developed 18 cases from these. The Police Department handled 10 motor vehicle accidents, 5 in the Town, 3 in the Village, 1 on the Lake and 1 on I-86. There were 23 Traffic Stops conducted with 19 Traffic Summons issued, 12 in the Town, 6 in the Village, 1 on the Lake and 0 on I-86. The Police Department also handled 2 noise complaints, 6 motorist assists, 9 vehicle lock-outs, 3 parking tickets were issued, 6 other agency assists, and 4 domestic disputes. The Police Department assisted the Ambulance on 10 calls. The Police Department conducted 2 safety car seat installations. Pill drop offs completed were 4. Business funds escorts totaled 23. Patrols checked Cuba businesses and properties of residents out of town 61 times. The next pill drop is scheduled for April 25 at the Cuba Fire Department from 10 am until 2 pm.

**Ambulance Comments:** Cuba Ambulance Service responded to a total of 31 calls to service in March. Of those calls 21 were taken to Olean General Hospital, 1 was taken to Jones Memorial Hospital, taken by Mercy Flight. 10 of these calls were critical care with Cuba handling all 7 and Olean 10 taking 3. 17 of these calls were in the Village of Cuba, 6 were in the Town of Cuba, 4 were in New Hudson, 1 on I-86, 2 in West Clarksville and 1 in Friendship.

**Highway Department Comments:**

Worked performed in March included the following services:

- Plowed 9 days in March
- Thawed frozen sluice pipes
- Put cold patch in potholes
- Put up 8 ton road posted signs
- Put clean out material in soft spot on dirt roads

Equipment Repairs:

- Replaced broken springs on Sterling
- Rebuilt sander chain slides on Mack and rear sprockets
- Put new cutting edge on tractor
- Serviced Roller

**Dog Control Officer Comments:**

- 03/13/15:** Resident is holding 2 beagles with tags. Returned to owner just over the line in New Hudson.
- 03/20/15:** Took an unidentified dog running at large to Joyful Rescues
- 03/27/15:** Cuba PD picked up dog running at large and contacted owner.
- 03/20-27/15:** Spent 3 days trying to catch a dog "living" at Chamberlain Park. S.T.A.R. FROM Friendship offered a cage and finally caught the dog. It was taken to Joyful Rescues.

Patter requested to purchase a large dog trap for these situations. The subject was tabled until other options have been looked into.

**Code Enforcement Comments:**

- Fielded calls with code questions.
- Final inspection for enclosed a porch at 8697 County Rd. 20
- Final inspection on Trenkle Road
- Attended school in Rochester for 3 days

**Sewer Committee:** There are flyer handouts ready for to send to those in Sewer District #5. Mary Lindquist offered to include those for the Lake in the Newsletter that is almost ready to go out. Carney accepted the help. They include information on proper use and maintenance and policy.

**Old Business:**

**New Town Hall:** Another setback. A faulty valve caused water damage. The insurance has been notified and is working with contractor to get things repaired.

**Mileage Letter:** A letter will be given to all employees stating that mileage must be claimed within 30 days of the trip.

**New Business:**

**Bridge Fund:** the Keller Hill Bridge in need of repairs. It may be on the County schedule as soon as next year. This bridge will be a large expense. After some discussion, Nease motioned to have Carney move \$40,000 in unexpended funds from last year to a contingency fund in anticipation of a large expense to repair the Keller Hill Bridge, seconded by Miller. With the approval of the rest of the Board, passed.

**Highway Trailer:** As the Highway Department was readying the trailer for a new season, it was discovered it is not road worthy. Discussion ended in Miller offering a motion to purchase one on State bid for \$20,000 out of Rochester, NY. McGraw seconded, all in favor, passed. It may be here in as little time as one week.

**Police Car:** It was discussed to sell the 2009 Crown Victoria as it is not on the road. The money could be most of a down payment on a new vehicle. Chief Burch presented quotes for the Board to consider.

**Cintas Uniform Contract:** Carney expressed concern for the amount paid for highway uniforms. The discussion resulted in the fact that all the companies that provide uniforms are all in the same price range.

**Lawn Care:** It is time again to ask for bids to take care of the mowing at the cemetery and the property on Water Street.

**Mutual Aid:** There is an opt out for the Mutual Aid within the County. After a brief discussion, the Town of Cuba will remain in the program.

**Shared Services & Tax Freeze:** The Governor has established a new program to keep taxes down. If the Town can save 1% of the tax levy, a rebate will be sent to the taxpayers by the State. Nease, Burch and Smith are appointed to a committee to see what can be done.

**CHIPS:** Assemblyman Giglio informed the Town of the amount of CHIPS funding we are receiving for 2015-2016. The breakdown is winter Recovery Aid, \$17,403.71 and Aid & Incentives Aid, \$14,326.00 for a total of \$120,475.95.

At 8:38 pm the meeting was adjourned with motion from McGraw and second from Miller. All in favor.

Respectfully Submitted,

Nancy A. Orcutt  
Town Clerk, Town of Cuba

DRAFT