

2016 Budget Hearing
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: Jerry Scott, Joseph Miller, Steven Nease, Daniel McGraw

Also, Present: Nancy Orcutt, Town Clerk, Dustin Burch, Police Chief and Ambulance
 Administrator, Chad Smith, Highway Superintendent

Also Present: Doug Rettig, Cindy Kottwitz, Mary Raymond, Mary Lindquist, John Devaney

Supervisor Carney called the Hearing to order with the Pledge of Allegiance at 6:30 pm.

With only a handful of people in the audience, Carney explained this hearing is to hear comments for or against the preliminary budget for the fiscal year 2016. Doug Rettig, Sr. asked many questions about why some line items are so high, boiling down to why the Town cannot stay within the 0.73% cap mandated by New York State. Scott explained the reason we can't stay within the cap is for the last 5 years the Town *has* been under the cap, using unexpended balances to fund the increases necessary. Now, after 5 years of spending balances with no way to feed them, there is nothing left to fall back on. If the Town were to stay

within the 0.73% cap, we would have to cut services. Things that we have no control over are the cost of utilities, gas, the price of asphalt and salt, state mandated amounts for retirement, and insurance, just to name a few. To maintain the level and quality of services the Town is used to receiving, we must override the 0.73% cap with this budget. The Village tax increase is 2.01%, and the Town increase is 2.63%. Carney pointed out the Board took a 5.9% decrease in pay to help alleviate an even larger increase than by maintaining their current rate.

Mary Lindquist asked if the cost of the building is reflected in the budget. The Bond Anticipation Note is the only thing new for the building that is accounted for here. The cost of what has been done thus far have been paid out of the Building Fund Account that was established many years ago. The utilities and the like are line items under building contractual cost as with the older Town Hall. The amount of the B.A.N. is \$45,000, which will complete the building and some renovations to the old building for storage of highway equipment, possible kennel space for dog control and a place for sewer district #5 for equipment storage and workshop where repairs can be done. We are currently paying rental on a building in the amount of \$450 a month (\$5400 annually) that will no longer be an expense. The savings on utilities from the old to the new building will be substantial.

The subject of purchasing police vehicles came up. The purchase of only one new car is budgeted for this year. In time the cars will be on a 3 year rotating schedule. This will allow the Town to get a higher return on the vehicles because of lower mileage. At some point, 2 cars will be purchased in one year, but the Town will wait until this is feasible.

McGraw is concerned about the Supervisor's rate of pay. Now that the Supervisor is not doing the accounting, and a firm needs to be paid, the Supervisor should not be receiving as much as the previous Supervisor. After reviewing a list of Town Board pay rates for the entire county, Cuba is the highest, Wellsville second and Clarksville third.

Supervisors make on average 2½ to 3½ times more than the board members. The Board agreed they are not serving because of the money, but to serve the Town. Scott mentioned that a couple of years ago, the Village Trustees donated their salaries back to the Village so they could purchase cameras for Chamberlain Park. The year before that the Trustees just donated their salaries back to the Village, period. Miller stated he would consider donating his pay back to the Town. Mary Lindquist questioned why the Assessor's pay was raised so much. Carney explained that in 2015 we only had two assessors. In 2016 we are back to three as required.

At 7:08 pm Nease motioned to adjourn the Hearing, seconded by Miller. All in favor, passed.

Respectfully Submitted,

Nancy A. Orcutt, Town Clerk

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: Jerry Scott, Joseph Miller, Steven Nease, Daniel McGraw

Also, Present: Nancy Orcutt, Town Clerk,
Dustin Burch, Police Chief & Ambulance Administrator,
Chad Smith, Highway Supt.

Also Present: Mary Raymond, Mary Lindquist, John Devaney, Ken Hintz, Richard Patterer

Supervisor Carney called the meeting to order with the Pledge of Allegiance at 7:08pm.

10 Minutes for Public Comments: Mary Raymond noted there is a different Realtor listing the property on Water St. She commented that she is familiar with them and they are an aggressive company.

Approve Minutes of Previous Meeting 10/13/2015: Nease motioned to accept the Minutes as presented. Miller seconded, all in agreement, motion passed.

Approve Supervisor's Report for October: The General Fund received \$12,641.63 and disbursed \$96,468.12 while the Highway Fund Received \$1,700.00 and disbursed \$36,435.19. Scott motioned to accept the Supervisor's Report as presented, seconded by Miller. All in favor, passed.

Approve General & Highway Abstracts for November: Miller motioned to approve the Abstract with the additions, Nease seconded, all agreed, passed. The General Fund is \$63,859.23 and the Highway Fund totaled \$21,800.42.

Police Department Comments: Cuba Police responded to 288 calls to service and developed 34 cases from these. The Police Department handled 16 motor vehicle accidents, 9 in the Town, 5 in the Village, 0 on the Lake and 2 on I-86. There were 28 Traffic Stops conducted with 13 Traffic Summons issued, 4 in the Town, 5 in the Village, 4 on the Lake and 0 on I-86. The Police Department also handled 2 noise complaints, 9 motorist assists, 0 funeral escort, 17 vehicle lock-outs, 2 parking tickets/complaints, 10 domestic disputes, and 7 other agency assists. The Police Department assisted the Ambulance on 22 calls. Pill drop offs completed were 7. Business funds escorts totaled 17. Patrols checked Cuba businesses 16 times and properties of residents out of town 22 times. The Police Department performed 13 school zone checks and walked through the school buildings 19 times. The K-9 unit was utilized on 5 occasions.

There are several officers donating their time to help move into the new Town Hall.

Ambulance Comments: Cuba Ambulance Service responded to a total of 40 calls to service. Of those calls 22 were taken to Olean General Hospital, 8 sign-offs, 1 Mercy Flight and 6 were stand-by, 2 calls cancelled. Out of 10 Critical Care calls, Cuba took 8 and Olean 10, 2.

Highway Department Comments:

Worked performed included the following services:

- Put weeper pipes in on Stout and North Branch roads
- Ditched on North Branch
- Put new crossover pipe in on Bump Road
- Put driveway pipes in on Mount Monroe, North Branch, Ungermann and Bump Road

Equipment Repairs:

- Put new lift cylinder in Peterbilt
- Put new hydraulic hose on Mack

Dog Control Officer Comments:

- ❖ Working on a dangerous dog hearing from complaint investigated on 10/14/15
- ❖ Returned dog to owner after verifying paperwork is in order
- ❖ Took one dog to Joyful Rescues
- ❖ Advised two dog owners how to license their dogs
- ❖ Trying to resolve issue between two neighbors

Code Enforcement Comments:

- Picked up and dropped off permits
- Fielded questions
- Final inspection at 52 South Shore Road
- Permit written for a roof
- Permit written for Dollar General for propane exchange station at 5240 Route 305
- Permit written for a new house at 4350 Summit Hill Road
- Inspected 88 Stout Road for framing
- Permit written for repair to block of building at Route 305 and Maple Lane
- Permit written for an addition at 283 West Shore Road
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Old Business:

- The gas meter will be moved as soon as it is paid for. Bill has not been received.
- Union negotiations are ongoing.
- The New Town Hall will be open for business on November 16, 2015. The new address is
- 15 Water Street.

Parking Restrictions: Smith was asked to research what other Towns are doing and report back.

Local Speeding Law: Burch will look into this to see if it is possible. The idea is to keep money in Cuba's coffers instead of sending thousands of dollars to the State/County each month.

New Business:

New Hudson Ambulance Contract: The current contract is \$3,500 annually. The rate will increase \$500 each year for the next three years.

Ambulance Charge Rates: After some discussion, Miller motioned to raise the rate to whatever percent to make the rate near the \$850 mark. McGraw seconded motion, all in favor, passed. The Town is on the low end of the scale due to maintaining the same rate for many years. Now that Cuba is ALS, more equipment and meds are required and brings the need to increase the rate to bring us up to the middle of the scale. Target goal is \$30,000 annually to keep the service running. Any extra there may be goes into a reserve fund toward purchasing new equipment.

Resolution to Adopt the 2016 Budget: Discussion continued on the Supervisor's rate of pay. Miller pointed out that the other elected officials rates were in line with the rest of the county. Cuba Supervisor should be at about \$7,000. Scott motioned changing the Board's pay to \$600 annually and the Supervisor to \$9,000. This would be approximately the 1% the other Board Members are looking for to use to pay the accounting firm. This also lowers the increased rate of the Village and Town respectively to approximately 1.01% and 1.62%. Note the Town is over the .073% but still under the 2% of the past five year's mandate. The reason Cuba Supervisor deserves more than \$7,000 is that the other Towns are not dealing with police and ambulance departments. There is more to the Supervisor's position than the Board is realizing in relation to the rest of the county's Town Supervisors. More discussion took place after which Nease seconded the motion. Roll call showed McGraw, no, Nease, yes, Miller, no, Scott, yes, and Carney, yes. Change to the preliminary budget approved.

Carney called a roll call vote on the approval of the budget with the changes. McGraw, no, Scott, abstain from Southern Tier West and Cemetery lines as he is involved with both associations, and yes on the rest, Miller, no, Nease, yes, Carney yes. Vote was thrown out due to concerns of abstaining from certain line items.

Carney again called for a roll call vote for the approval of the 2016 budget as a whole. Roll call vote shows; McGraw, no, Scott, yes, Miller, no, Nease, yes, Carney, yes. The 2016 Budget is officially adopted.

At 8:10 pm Miller motioned to go into executive session to discuss personnel. This was seconded by Nease, all in favor.

At 8:20 pm the regular meeting reconvened where, with no further business to discuss, McGraw made the motion to adjourn, followed by Scott's second. All in favor, adjourned.

Respectfully Submitted,

Nancy A. Orcutt
Town Clerk, Town of Cuba

At a Regular Meeting of the Town Board of the Town of Cuba, Allegany County, New York, held at the Cuba Library, 39 East Main Street, Cuba, New York on the 13th day of October, 2015, at 7:00 P.M. the following were:

PRESENT: Robert Carney, Supervisor
 Steven Nease, Deputy Supervisor and Councilman
 Jerry Scott, Councilman - *absent*
 Daniel McGraw, Councilman
 Joseph Miller, Councilman

ABSENT: *Jerry Scott*

ALSO PRESENT: Nancy Orcutt, Town Clerk

The following resolution was offered by *Joseph Miller*, who moved its adoption and seconded by *Steven Nease*, to wit:

BOND RESOLUTION DATED OCTOBER 13, 2015 AUTHORIZING THE ISSUANCE OF \$45,000.00 SERIAL BONDS BY THE TOWN OF CUBA, ALLEGANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE PART OF THE COST OF RENOVATIONS TO THE NEW TOWN HALL BUILDING AND FORMER TOWN HALL BUILDING.

WHEREAS, the Town Board of the Town of Cuba, Allegany County, New York, by resolution duly adopted on January 11, 2005 authorized renovations to the new Town Hall building and former Town Hall building for use by the Town of Cuba Justice Court, Police Department, Assessor, Highway Department, Ambulance Department, Town Clerk and Town Supervisor, said renovations to be completed at a price of \$45,000.00, and

WHEREAS, it is now desired to provide for the financing of the renovations of the said new Town Hall building and former Town Hall building;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The renovations of the new Town Hall building and former Town Hall building are hereby authorized at a maximum cost of \$45,000.00.
2. The plan for the financing of said renovations of the new Town Hall building and former Town Hall building is by the issuance of \$45,000.00 serial bonds of said Town, pursuant to the Local Finance Law, which bonds are hereby authorized therefore; further details pertaining to said bonds may be prescribed in another resolution or resolutions of this board.

3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of said notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Said notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

4. It is hereby determined that the period of the probable usefulness of the aforesaid object or purpose is ten years, pursuant to subdivision 13 of paragraph A of Section 11.00 of the Local Finance Law, and the said bonds will mature over a period not in excess of five years.

5. The faith and credit of said Town of Cuba, Allegany County, New York are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively becomes due and payable.

6. The bonds hereby authorized are declared to be "exempt bonds" under the provisions of the Internal Revenue Code of 1986 inasmuch as the Town of Cuba will not issue more than \$10,000,000.00 of bonds during the year of issue.

7. The validity of such bonds or notes or any bond anticipation notes issued in anticipation of the sale of such bonds may be contested only if:

i. Such obligations are authorized for an object or purpose for which the municipality, school district or district corporation is not authorized to expend money, or

ii. The provisions of law which should be complied with at the date of the publication of such resolution or summary thereof, or certificate, as the case may be, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

iii. Such obligations are authorized in violation of the provisions of the constitution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Robert Carney voting aye

Steven Nease voting aye

Jerry Scott voting absent

Daniel McGraw voting aye

Joseph Miller Voting aye

The resolution was thereupon declared duly adopted.

RICHARDSON & PULLEN, P.C.
ATTORNEYS AT LAW
21 MINARD STREET
FILLMORE, NEW YORK
14735-0182

C-2605-021

STATE OF NEW YORK)
)SS.:
 COUNTY OF ALLEGANY)

I, the undersigned, Nancy Orcutt, Clerk of the Town Board of the Town of Cuba, Allegany County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the regular meeting of the said Town Board including the resolution contained therein, held on the 13th day of October, 2015, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting, and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date Given</u>
<i>Cuba Patriot</i>	<u>1-2</u> , 2015

and that further notice of the time and place of such meeting was given to the public by posting such notice in the following places on the following dates, and by giving such notice as follows:

<u>Location of Posted Notice</u>	<u>Other Method of Giving Notice</u>	<u>Date Given</u>
<i>Town Clerk Bulletin Board</i>	<i>Cuba Library Sign Board</i>	<u>1-2</u> , 2015

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Cuba this 13 day of October, 2015.

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Nancy A. Orcutt

 Nancy Orcutt
 Town Clerk
 Town of Cuba

AT A REGULAR MEETING of Town Board of the Town of Cuba, Allegany County, New York, held at the Cuba Library, Cuba, New York at 7:00 p.m. on October 13, 2015, the following were:

PRESENT: *Robert Carney, Daniel McGraw
Joseph Miller, Steven Nease*

ABSENT: *Jerry Scott*

ALSO PRESENT: Nancy Orcutt, Town Clerk

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE
Town of Cuba
OF LOCAL LAW NO. 1 OF 2015 [01-2015]

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Cuba for a public hearing to be held by said Governing Body on October 13, 2015 at the Cuba Circulating Library, to hear all interested parties on a proposed Local Law entitled **A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c**, and

WHEREAS, notice of said public hearing was duly advertised in the CubaPatriot, the official newspaper of said Town on 10-13, 2015 and,

WHEREAS, said public hearing was duly held on October 13, 2015 at 6:30 p.m. at the Cuba Library, East Main Street, Cuba, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Cuba, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cuba hereby adopts said Local Law No.1 of the year 2015 entitled:

**A local law authorizing a property tax levy in excess of the limit established in General
Municipal Law §3-c**

a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Cuba, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

I, Nancy Orcutt, Town Clerk of the Town of Cuba do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Cuba on October 13, 2015, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Robert Carney	<u>✓</u>	_____
Steve Nease	<u>✓</u>	_____
Dan McGraw	<u>✓</u>	_____
Jerry Scott	<u>absent</u>	_____
Joseph Miller	<u>✓</u>	_____

Dated: 13 October, 2015

Nancy A Orcutt
Nancy Orcutt, Town Clerk

