

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, Daniel McGraw, Timothy Ramsey
 Also Present: Nancy Orcutt, Town Clerk, Chad Smith, Hwy. Supt.
 Dustin Burch, Police Chief & Ambulance Administrator,
 Richard Patterer, Dog Control
 Late: Steven Nease, Council Person,
 Absent: Dana Harvey, Sewer District #5 Manager

Supervisor Carney called the meeting to order with the Pledge of Allegiance at 7:00 pm. There were 4 people in attendance.

Public Comments: Mary Lindquist noted she was at the special Sewer District meeting on September 28th and listened to the comments of the Board. She stated she has been attending the meetings for a number of years now and she feels “if you are not a part of the solution, you are a part of the problem.” She based her opinion on the comments being made at the meetings. “You were elected to do a job and you are not doing the job.”

Mary Raymond asked about the budget. According to the Patriot, it read as if the budget had been passed already. Did she misunderstand that at the special meeting she inquired? Carney pointed out it has not been passed. That was a tentative budget for the Board to give them a starting point. That was an error on the part of the Patriot. Budget workshops are scheduled for October 11, 18, and 25 at 6:30 pm at the Town Hall. These are open to the public but are subject to executive session.

Board Comments:

Ramsey: Lindquist is right, but communication goes a long way, too.

McGraw: I did not make that meeting due to obligations with my day job. I feel moving forward where the Sewer District is concerned; there should be a half-time Town employee, perhaps under the Highway Department control. Since there is no control over when an incident may occur we will have someone that does not have another full time job and perhaps get better response and performance. There are things that should have been done/tested that have not been performed. There is a lack of communication between the worker and whoever is on the committee.

Carney: Smith and Carney have come up with a very similar plan. It will get hashed out at the budget workshops.

Approve Minutes for 09/12/ and 9/28/2017: Miller motioned to approve the Minutes of the 9/12 meeting followed by Ramsey’s motion to accept the Minutes of the 9/28 meeting. McGraw seconded both motions. Miller, McGraw, Ramsey and Carney are all in agreement, Minutes accepted.

Approve Supervisors Report for September: The income for the General Fund totaled \$32,715.35. Disbursements totaled \$71,868.06. The Highway Fund’s income is \$164,956.46 and disbursed \$25,079.89. Miller motioned to accept the report as presented. It was seconded by McGraw. Ramsey, McGraw, Miller and Carney all voting yes, the motion passed

Approve General & Highway Abstracts for October: The General Fund is \$57,894.43. Highway Fund totaled \$28,724.24. Ramsey motioned to approve the Abstract as presented. This was seconded by Miller. All four Board Members present approved the Abstract.

Miller motioned to have Carney move \$2,500 from the A1990.4 to A1950.4 to accommodate Voucher #584. Ramsey made the second and all agreed. Permission granted.

Clerk's Correspondence: Standard Workday Reporting Resolution was passed with a motion from Ramsey and second of Miller. Justice Paul Conklin will be recorded as working .99 days per month.

Police Department Comments: Cuba Police responded to 211 calls to service in September and developed 57 cases from these. The Police Department handled 6 motor vehicle accidents 5 in the town, 1 in the village, 0 on the Lake and 0 on I-86. There were 51 Traffic stops conducted with 30 Traffic Summons issued (16 in the town, 6 in the village 6 on the lake and 2 on I-86). The Police Department also handled 1 noise complaints, 6 motorist assists, 0 funeral escorts, 7 vehicle lock-outs, 1 parking tickets/complaints were issued, 3 other agency assists, and 6 domestic disputes. The Police Department assisted the Ambulance on 7 calls. The Police Department conducted 0 safety car seat installations. 56 Pill/needle drop offs were completed. 0 gun locks were handed out to residents. 10 business funds escorts were completed. Patrols checked Cuba businesses and property's 22 times. 2 K9 sweeps were completed at the school buildings; Officers participated in a lockdown drill at the Elementary school as well as attended the homecoming bon-fire and dance.

Ambulance Comments: The Cuba Ambulance Service responded to a total of 32 calls to service in September of 2017. 17 of those calls were taken to Olean General Hospital, 2 were taken to Jones Memorial Hospital and 1 were sign offs, 6 was mutual aid, 4 were refusals, and 2 was taken by Mercy Flight. 18 of these calls were critical care with Cuba handling 18 and Olean 10 handling 0. 16 of these calls were in the Village of Cuba, 12 were in the Town of Cuba, 0 were on Cuba Lake, 0 was New Hudson, 2 were mutual aid to West Clarksville, 2 was mutual aid to Friendship, and 0 was on I-86.

Highway Department Comments:

Work performed in September included the following services:

- Chip sealed Youngs Road, part of Keller Hill and Witter roads
- Grading dirt roads
- Ditched on Beebe Hill Road
- Pulled shoulders on Swift Road
- Mowing roadsides

Equipment Repair

- Serviced Peterbilt and Sterling
- Changed starter in the loader
- Changed two brake chambers on the Sterling

The Fire Department received a grant to build a helicopter pad for Mercy Flight. They are asking if it is possible for the Town Highway, as part of shared services, help with the excavation for the pad. The landing pad will be located at Fireman's Park. Miller made a motion to allow the Highway Department to help in the construction of said project, seconded by Ramsey. All four agreed. Motion approved.

Dog Control Comments

- 09/10/17- resident found a loose and unidentified dog running loose in the village. I picked up the dog and put him in the towns' kennel.
- 09/19/17- no luck finding the dog owner from 09/10/17, took the dog to Cattaraugus County SPCA
- 09/19/17- received a complaint of dogs barking. Spoke to owners.
- 09/27/17- received complaint about a residents' neighbor's dog coming onto the property and wanted me to discuss with the neighbor how to remedy the situation.

Code Enforcement Comments:**September 13th**

I stopped at the office and checked mail.

September 20th

I stopped at the office and picked up permit applications.

September 21st

A permit was written for Mark Morrison for a remodel at 9013 Stout Road.

September 22nd

I stopped at the office to drop off permits.

A permit was written for Thomas Brown for a reroof at 5320 Rambling Wood Road.

September 28th

I stopped at the office to drop off permits.

A permit was written for Susan Everett for a reroof.

I inspected 9103 Jackson Hill Road for violations.

A permit was written for Lee James for the demo of a building at 9372 Health Camp Road.

A permit was written for Jennifer James for a new home at 4273 Hamilton Hill Road.

A violation notice was written for Jonathon Fleming for an unsafe wood stove an RV at 9103 Jackson Hill Road.

September 29th

I inspected demo progress for Mr. Klein's at the corner of 305 and Maple Street.

I stopped at the office and dropped off permits.

October 3rd

I received a call from the Clerk that I have a wood stove inspection.

October 5th

I received a call from the Clerk that I have permits in my box.

October 6th

A permit was written for Mark Schmidt for extending a roof and deck at 13 S Shore Road.

A permit was written for David Walsh for a 12 x 24 shed at 8169 N Branch Road.

I stopped at the office and dropped off permits.

October 7th

I inspected Mr. Klein's process on demo for Court.

Facilities Report: Some painting and signage was taken care of on the outside of the bay to clarify the building as police and not the school.

Old Business:

Shared Services: One common question that the County can't/won't answer is once the shared services are in place, and the savings are being reaped, how much of the savings will the Towns and Villages receive in return for their part in the effort.

Tracewell/Seneca Update: No update

Well Test Results: Carney had 4 properties tested in the area of last month's leak. Only one property came back as positive. The owner was notified and given instructions on how to sanitize the well.

New Business:

Keller Hill Bridge B.A.N. Resolution:

At last month's meeting, the need to take out a B.A.N. to pay the Town's share of the repairs on the Keller Hill Bridge was discussed. In February of 2016 a resolution was passed to do this. The bridge repair was postponed from 2016 to 2017. With the recent bill being submitted by the County showing total cost of the project the Board will now arrange to have a B.A.N. issued. The Town's attorney has started the paperwork for this. Following is the resolution;

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 10th day of October, 2017, at 7:00 P.M. the following were:

PRESENT: Robert Carney, Supervisor
Joseph Miller, Deputy Supervisor and Councilman
Daniel McGraw, Councilman
Steven Nease, Councilman
Timothy Ramsey, Councilman

ABSENT:

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 10, 2017 AUTHORIZING THE ISSUANCE OF \$44,377.48 SERIAL BONDS BY THE TOWN OF CUBA, ALLEGANY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE PART OF THE COST OF REPAIRS TO THE KELLER HILL BRIDGE.

WHEREAS, the Town Board of the Town of Cuba, Allegany County, New York, by resolution duly adopted on February 9, 2016 authorized repairs to the Keller Hill Bridge for use by the general public traveling said bridge in the Town of Cuba, said repairs to be completed at a total price of \$295,849.89 paid by the County of Allegany Department of Public Works, with the Town of Cuba's fifteen percent (15%) share of said costs being \$44,377.48, and

WHEREAS, it is now desired to provide for the financing of the Town of Cuba's share of the repairs of the said Keller Hill Bridge;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The repairs of the Keller Hill Bridge are hereby authorized at a maximum cost of fifteen percent (15%) share of the total cost of \$295,849.89, being \$44,377.48.
2. The repairs of the Keller Hill Bridge are hereby authorized at a total cost of \$295,849.89 in accordance with the obligations of a Town contained in the County Board of Legislators' Resolution No. 65-95 as they apply to the repairs of the Keller Hill Bridge project.
3. The plan for the financing of the Town of Cuba's share of said repairs of the Keller Hill Bridge is by the issuance of \$44,377.48 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.
4. 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.
5. It is hereby determined that the period of the probable usefulness of the aforesaid object or purpose is twenty years, pursuant to subdivision 10 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.
6. 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.
7. 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.
8. 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:

to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date Given</u>
Cuba Patriot and Free Press	January 12, 2017

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>
Cuba Library Town Clerk's Bulletin Board		January 12, 2017

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Cuba this 10th day of October, 2017.

Nancy Orcutt
Town Clerk
Town of Cuba

At 7:45 pm Miller motioned to go into Executive Session to discuss litigation. Ramsey seconded, all in favor. After a discussion, Miller motioned to reopen the regular meeting, again, seconded by Ramsey at 8:12 pm.

Chief Burch gave the Board news of the resignation of Officer Jeremy Clawson. Miller motioned to accept the resignation, seconded by Ramsey. All agreed, accepted.

The meeting was adjourned at 8:13 pm on motion of Miller and Ramsey's second.

Respectfully Submitted,

Nancy A. Orcutt
Town Clerk
Town of Cuba