

The Village of Cuba Board of Trustees held a Public Hearing on Local Law #3 and Local Law #4, 2013 on Tuesday, November 12, 2013 at 7:00 pm with the Village Monthly Board Meeting to follow.

PRESENT: Mayor Thomas Taylor, Trustees Andrew Swift, Lon Sweet, Judith Zayac and Michael Doyle.

ALSO PRESENT: Richard Hall, SPW, Diane Wilson, Clerk/Treasurer, Sandy Beard, Doug Rettig, Wayne Butts, Lloyd Lewis, Charmaine and Tom Bean and Michael Bean.

MAYOR TAYLOR OPENED THIS PUBLIC HEARING AND MEETING WITH THE PLEDGE OF ALLEGIANCE.

Local Law #3, 2013 Amending Article II of Chapter 76, and Articles II and V of Chapter 200 of the Code of the Village of Cuba to revise the Regulations Relating to the Keeping of Animals and Dogs and Cats.

Local Law #4, 2013 Amending Section 170-4 of Article I of Chapter 170 of the Code of the Village of Cuba to revise the Requirements for Curbside Trash Placement, Collection Schedule.

Mayor Taylor asked if there were any comments or questions. Ms. Beard had a question about the times in Local Law #4 as her refuse does not get picked up until after 3:30pm on pickup day. Trustees Swift and Sweet explained that the cans are to be removed from the curb by noon the following day of pickup. Trustee Zayac stated that this came about because of people who abuse the law by leaving cans to the curb for several days and on windy days this can be a hazard. The Zoning Officer will enforce this.

Mr. Rettig wanted to know why the Village is messing with little laws, when the Board should be enforcing what they have. Trustee Swift asked Mr. Rettig if he knew how this can be fixed. Trustee Sweet stated that it is a safety issue when cans are left to the curb and blow into the road.

With no further comments on the Proposed Local Laws at this time, the Board will continue with their monthly meeting and the Public Hearing will remain open.

GUESTS: Wayne Butts attended this meeting as he has not received a decision on the sign from the Planning Board the Fire Department would like to erect as he had submitted to the Planning Board in January of this year. The Planning Board had told him they would have a decision within three months. How much longer is it going to be? Trustee Swift said that there have been some concerns about lighted signs, the biggest being the brightness. The attorney will be contacted on this and it will be discussed at the December board meeting. Mr. Rettig stated that Section 200-13 a 9 that if the Planning Board does not act on an application within forty-five days of the

receipt of a complete application from the Zoning Officer the application shall be approved.

Mr. Bean attended this meeting along with his wife and son to inform the Board that he had submitted an application to demolish a house on his property. He stated that the house will be knocked down this weekend and fencing for safety will be put around the wreckage until it can be hauled away.

MINUTES: The Board was given copies of the minutes of October 14, 2013 with no amendments to these minutes a **MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE ANDREW SWIFT AND ALL APPROVED THE MINUTES OF 10-14-13.**

BILLS: Clerk/Treasurer Wilson informed the Board the Superintendent Hall gave to her this night three additional bills for approval to pay.

Daniel Long Enterprises, LLC	\$2,600.00
Mike's Auto, Truck & Equip. Repair	35.00
Hurtubise Tire	350.00

The Board was also given copies of the Abstract of Vouchers 328-368 totaling \$374,770.39 with the breakdown by funds as follows:

GENERAL FUND	\$193,964.10
WATER FUND	\$ 5,740.95
SEWER FUND	\$ 9,943.64
CAPITAL 3-SEWER	\$165,121.70

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE LON SWEET TO PAY THE MONTHLY BILLS INCLUDING THE THREE ADDITIONAL BILLS, AND THIS WAS PASSED UNANIMOUSLY.

POLICE REPORT: Chief Burch dropped OFF his monthly report as he needed to attend the Town of Cuba Board Meeting to attend. The report consisted of the Ambulance Service report and runs and the Police department monthly activity report. The police responded to 443 calls in October and 50 cases were developed from these. There were sixteen motor vehicle accidents of which 6 were in the Village. Twenty six traffic summons were issued; 9 were in the Village. There were other calls to service as well. Four pill drop offs were completed. The pill drop was a success as the department had 54 cars attend for a total of 60 lbs of pills taken in and sent to the DEA to be destroyed safely. Thirty-nine business escorts were completed. Patrols monitored the school zone 28 times by patrol car and on foot. The kg's were used 5 times.

CODE ENFORCEMENT/ZONING: The Code Enforcement officer submitted his report and the Zoning Officer had none. Trustee Zayac would like the Personnel Committee meet and talk about these positions.

ANIMAL CONTROL: Ms. Botens submitted her report. There were some questions whether she handles dog complaints as well. It depends on the complaint, and she does call the Town of Cuba Animal Control Officer if it doesn't fall under her responsibility.

WWTP REPORT: Trustee Sweet had asked that Mr. Lewis attend this meeting to talk about the letter received from DEC regarding compliance with the SPDES Permit for the Wastewater Treatment Facility. Mr. Lewis gave the Board a copy of the DEC letter and his response to them. Mr. Lewis has also been in contact with Mark Jackson, the Environmental Engineer 2 with DEC via emails to keep him up-to-date. Mr. Lewis informed the Board that Duane Hopkins will be taking the test for his operator's license on 11-27-13 and he is hopeful all will go well. Mr. Lewis was asked how the flows are now compared to flows prior to having the sewer lines relined? Mr. Lewis stated they are excellent and he has not had to do any bypassing and he can see the difference.

SUPERINTENDENT OF PUBLIC WORKS: Superintendent Hall reported the following:

- ❖ Cleaned off catch basins and swept curb edges with sweeper
- ❖ Serviced plows and sanders
- ❖ Mowed all locations for the last time for this year
- ❖ Greenway Trail work, installed parking signs at west end of trail and painted three crosswalks
- ❖ Equipment repairs, new rear brake rotors and pads on truck #3. Tire blew out on International dump truck and was replaced as well as was spare that had cut in sidewall
- ❖ Fall hydrant flushing was done
- ❖ Skate park equipment put away for the season
- ❖ Flower boxes and last bench also brought to the shop
- ❖ Finished miscellaneous hot patching and filling in from water leaks, also patched two spots from sewer project on Route 446 and will invoice Skanex
- ❖ Winterized roller and put in storage
- ❖ Worked on "Pump Control Valve" at Bi-Centennial Well, replaced check valve and 2-way solenoid-working fine now
- ❖ Curbing installed on Bristol Street-lawn edging left to do
- ❖ Installed new 15 MPH, School Zone and Unloading Zone signs were put up on Elm Street
- ❖ Painted yellow stripes on Elm Street for "unloading Zone" in front of school. There was a malfunction with the machine, will fix lines in the Spring
- ❖ Jeff Griswold was successful in obtaining his Class B water license
- ❖ Finished picking up leaves with leaf vac and now leaves need to be bagged and will be picked up on regular brush day, which is the first Monday of every month

CLERK/TREASURER: Clerk Wilson presented the offices to be filled at the next General Village Election, March 18, 2014.

RESOLUTION

OFFICES TO BE FILLED

WHEREAS, the next General Village Election for officers in the Village of Cuba will be held on Tuesday, March 18, 2014

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and terms thereof.

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees designates the following offices as vacant at the end of the current official year, to be filled at the Village Election to be held on March 18, 2014 for the following terms: TRUSTEE-2 YEAR TERM TO FILL THE EXPIRING TERM OF MICHAEL DOYLE AND TRUSTEE-2 YEAR TERM TO FILL THE EXPIRING TERM OF ANDREW SWIFT. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE ANDREW SWIFT AND PASSED TO ADOPTED THIS RESOLUTION.**

Clerk Wilson informed the Board that the unpaid Village taxes for 2013 have been turned over to the County for collection. Taxpayers have until November 15, 2015 to pay them at the County Treasurer's office and after that they will be relieved on the County Taxes. The amount of unpaid taxes is \$43,193.08. Which is about the same as previous years.

Clerk Wilson asked about the Christmas lighting dates for this season. Mr. Hall wasn't sure of the beginning date. He will contact the Chamber President to find this out as a letter has to be sent to National Grid.

COMMITTEE REPORTS: Trustee Zayac stated that the Personnel Committee had met with the Union twice and are close to a contract.

Trustee Sweet informed the Board that a new Planning Board member is needed to fill a future vacant spot.

MAYORS REPORT: N/A

NEW BUSINESS: The Clerk had copied the Board on a letter from the Allegany County Real Property Tax Service regarding tax exemption for persons over 65 years of age with limited incomes. **A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE LON SWEET TO NOT HAVE ANY CHANGES TO THE SLIDING SCALE OF \$12,000 FOR THE VILLAGE OF CUBA. THIS PASSED UNANIMOUSLY.**

OLD BUSINESS: Water and sewer rates were discussed. It has been recommended by the State Comptroller's Office that we continue with increases to keep our sewer fund solvent. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE ANDREW SWIFT TO RAISE WATER RATES 5%, LEAVING THE MINIMUM USER THE SAME FOR BOTH WATER/SEWER AND INCREASE THE SEWER 15% FOR 26-50 THOUSAND GALLON USERS AND THE OVER 50,000**

GALLON USERS TO A 20% INCREASE. THIS WILL AFFECT INSIDE AND OUTSIDE USERS FOR BOTH. THIS PASSED UNANIMOUSLY.

WITH NO FURTHER QUESTIONS OR COMMENTS ON THE TWO PROPOSED LOCAL LAWS AND MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE LON SWEET TO CLOSE THE PUBLIC HEARING. THIS TOO PASSED TIME: 8:00 PM

A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE MICHAEL DOYLE TO ADOPT LOCAL LAW #3, 2013 WITH THE FOLLOWING VOTE:

TRUSTEE MICHAEL DOYLE	AYE	
TRUSTEE ANDREW SWIFT	AYE	
TRUSTEE LON SWEET		AYE
TRUSTEE JUDITH ZAYAC	NAY	
MAYOR THOMAS TAYLOR	AYE	

A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE LON SWEET TO ADOPT LOCAL LAW #4, 2013 WITH THE FOLLOWING VOTE:

TRUSTEE MICHAEL DOYLE	AYE	
TRUSTEE ANDREW SWIFT	AYE	
TRUSTEE LON SWEET		AYE
TRUSTEE JUDITH ZAYAC	AYE	
MAYOR THOMAS TAYLOR	AYE	

THESE TWO LAWS PASSED WITH THE MOJORITY VOTE.

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE LON SWEET TO GO INTO EXECUTIVE SESSION FOR PERSONNEL ISSUES AND RICK HALL AND DIANE WILSON WERE ASKED TO STAY. TIME: 8:03 PM

Rick and Diane were asked to leave the executive session. TIME: 8:30PM

A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE MICHAEL DOYLE TO COME OUT OF EXECUTIVE SESSION. TIME: 8:50 PM

WITH NO FURTHER BUSINESS TO DISCUSS A MOTION WAS MADE BY TRUSTEE LON SWEET AND SECONDED BY TRUSTEE ANDREW SWIFT TO ADJOURN THIS MEETING.

TIME: 8:51 PM

RESEPECTFULLY SUBMITTED
D. WILSON

