

The Village of Cuba Board of Trustees held their monthly Board Meeting and Public Hearing on Local Law #1, 2013 and Local Law #2, 2013 on Monday, March 11, 2013 at 7:00 pm in the Village of Cuba Hall, 17 E. Main St.

**PRESENT:** Mayor Thomas Taylor, Trustees Michael Doyle, Andrew Swift and Judith Zayac. Trustee Patricia Petroni was excused.

**ALSO PRESENT:** Richard Hall, SPW, Diane Wilson, Clerk/Treasurer, Lon Sweet, Bob Clark, Olean Times Herald, Dustin Burch, Police Chief and Doug Rettig.

**THE MAYOR OPEN THIS MEETING AND PUBLIC HEARING WITH THE PLEDGE OF ALLEGIANCE AND WELCOMED EVERYONE.**

**GUESTS:** none to speak

Mayor Taylor read the two local laws presented for adoption tonight.

LOCAL LAW #1, 2013 is a law to amend Schedule XV: Handicapped Parking to change the handicap parking spot from 46 W. Main St. to the North side of W. Main Street in front of 45 W. Main St.

LOCAL LAW #2, 2013 is a law intended to control and restricts garage and yard sales in order to protect the public health, safety, welfare, and convenience of the village residents; and to restrict such sales and or occasional, occurrences in order to help maintain the character of residential neighborhoods. The intent of this Chapter is to eliminate repeated, perpetual, prolonged, and extended garage and yard sales in the Village of Cuba. Such sales, if continues, tend to or may become retail businesses subject to other regulation and, create a nuisance. The provisions of this Chapter arise from the need to limit and regulate garage and yard sales. It is not the intent of this Chapter to amend any other chapter of the Village Code.

The Mayor asked if there were any comments or questions. Mr. Rettig asked if there wasn't a garage sale law in the zoning law already. He was told there was not. Mr. Sweet asked if the small setups are affected by this law. Trustee Swift said that unfortunately yes. Knowing that there is a couple of places that always have a small sale quite regularly and this is unfortunate.

**MINUTES:** The Board was given copies of the minutes of 2-11-13 Board Meeting. With no amendments to these minutes a **MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE ANDREW SWIFT TO APPROVE THE MINUTES OF 2-11-13. THESE WERE APPROVED UNANIMOUSLY.**

**BILLS:** The Board was given the Abstract of Vouchers 566-630 totaling \$89,355.75 prior to this meeting and Mayor Taylor reviewed them. The breakdown of these bills to be paid is as follows:

GENERAL FUND	\$45,350.15
WATER FUND	\$ 8,661.47
SEWER FUND	\$35,344.13

**A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE MICHAEL DOYLE TO PAY THE BILLS TOTALING \$89,355.75. THIS PASSED UNANIMOUSLY.**

**BUILDING INSP/CEO:** Mr. Putt emailed his report to the Clerk and Board. No comments on this report at this time.

**ANIMAL CONTROL:** Mrs. Botens dropped off her report for the Board. There were no comments on her report.

**WWTP:** No report

**PUBLIC WORKS:** Superintendent Hall reported the following:

- Cold patching potholes
- Shoveling/salting walks and bridges as well as plowing and sanding streets as needed
- Hauled snow from C.F.D. and the parking area behind the bank
- Equipment repairs: changed both the trans. Filters on truck #9 (inline & sump), International dump inspected, services lawnmower (took to Sisson's for hydraulic pump work) and service street sweeper. Thanks to Dennis Myers and CRCS for the use of the old bus garage to do our work.
- Read water meters
- Water leak repair on North Branch Rd., small leak
- Still looking for a large water leak (read meters found a couple of small things will call NY Leak Detection.
- Installed a couple more new Meters, will have to do by appointment now.
- Cutting/splitting firewood for shop heat
- Todd Fries cut trees behind WWTP for Lloyd's project and we went down to help cut smaller stuff.
- Continues with cleaning up behind the shop-hauled old concrete to the Town of Cuba for their use.
- Jeff Griswold back to work 3-5-13 and Paul Shaller returned on 3-7-13.
- Duane Hopkins was gone to Wastewater School from February 25<sup>th</sup> thru March 8<sup>th</sup>. (Lloyd informed Rick that Duane passed the first test)
- Leak detection came today about 2:00 pm and about 3:30 pm found the big leak on E. Main St. It did not surface; it went into the sewer system. Will be calling underground locate as an emergency and start working on it as soon as it is marked for underground lines. Leak detection was being paid for 8 hours, therefore they will continue to see if there anymore leaks.

- Five quotes were received for surveyors for the property at the landfill on Jackson Hill. They are from Lu Engineers \$2,900., B& R surveying \$3,280., James Brown \$1,000.-\$1,200., Mike Canada \$850. and Michael Roeske \$1,200. +500.00 for any extra. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JUDITH ZAYAC TO ACCEPT THE QUOTE FROM MIKE CANADA FOR \$850.00. THIS PASSED UNANIMOUSLY.**

**POLICE REPORT:** Chief Burch reported that the Cuba Police responded to 225 calls to service in February and developed 42 cases from these. The department handled 18 motor vehicles accidents of which 3 were in the Village. There were 33 traffic summons issued 10 in the Village. The police department also handled 10 motorist assists, 10 vehicle lock-outs, 3 parking tickets were issued on Main Street, 4 other agency assists. The Police department completed 1 pill drop and 2 gun locks were handed out to residents. The next Neighborhood Network Meeting is scheduled for March 13<sup>th</sup>, 2013 at 7:00pm at the A. Arnold Community Center. The Police Department would like to thank every resident and business owner that has sent donations for our K-9 Unit. The Police Department will be hosting active school shooter training with the New York State Police at Cuba-Rushford Central School, we will be inviting other agencies to participate in this free training in an effort to establish uniformity in the face of school shooting threat. The date set for this training is April 3<sup>rd</sup>, 2013.

**CLERK/TREASURER REPORT:**

- Clerk Wilson reminded everyone that the Village Elections will be held on Tuesday, March 19, 2013 from noon to 9:00pm.
- A reminder that the next budget workshop will be held March 21, 2013 at 6:00pm.

The following resolution was presented to the Board:

**RESOLUTION  
STANDARD WORK DAY FOR EMPLOYEES**

**BE IT RESOLVED, THAT THE Village of Cuba, Location Code 40167, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body: Deputy Clerk 8 hours per day. A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE MICHAEL DOYLE TO PASS THIS RESOLUTION SETTING THE STANDARD WORK DAY FOR THE DEPUTY CLERK. THIS TOO PASSED UNANIMOUSLY.**

- The fire department asked that the open container law be lifted for Firemen's Park for the following events:
  - Demolition Derby Saturday, June 1<sup>st</sup>, 2013 rain date June 2<sup>nd</sup>, 2013.
  - Dairy Week June 5-8, 2013.
 Trustee Swift stated that the fire department does not need to ask permission from this Board as in Chapter 73, Alcoholic Beverages in the Village Code Section 73-4 A states the exception.
 

**A MOTION WAS MADE BY ANDREW SWIFT AND SECONDED BY MICHAEL DOYLE TO LIFT THE OPEN CONTAINER LAW FOR THESE EVENTS. THIS PASSED UNANIMOUSLY.**
- The Town Clerk, Nancy Orcutt gave a copy of the "Notice of Issuance of Magazine Certificate" issued to her from the Department of Labor for smokeless powder. Jan's Outdoor Supply was inspected and found to be in compliance. She and the Village Clerk felt that this certificate should also be on file in the Village Hall as they are located within the Village limits.
- At this time Clerk Wilson is asking for permission to contact Bond Counsel regarding the bonding of the Route 446 project at an estimate cost of \$380,000. She would like to get the paperwork going and Rural Development needs to know that the Village is going to fund this project to request \$150,000. of ARC funds towards the project.
 

**A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE ANDREW SWIFT GIVING THE CLERK/TREASURER PERMISSION TO CONTACT BOND COUNSEL TO GET THE PAPERWORK GOING FOR BONDING OF THIS PROJECT. THIS PASSED UNANIMOUSLY.**
- Clerk/Treasurer Wilson and Mayor Taylor will be meeting on March 18<sup>th</sup>, with the auditor from the State Comptrollers Office regarding the recent audit. A draft copy of the audit has been sent to the Trustees, Mayor and Clerk/Treasurer. This audit will not be finalized until after this meeting.

**COMMITTEE REPORTS:** none

**MAYORS REPORT:** Mayor Taylor reported that Village Employee Duane Hopkins passed the 10 day basic operation course to become a licensed WWTP operator. He has three more courses scheduled to take.

**NEW BUSINESS:**

- **A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE JUDITH ZAYAC TO PURCHASE A NEW REAR LOAD REFUSE PACKER AS PART OF SHARED SERVICE WITH THE TOWN OF FRIENDSHIP AT A**

MAXIMUM COST OF \$174,801.59. THE PLAN FOR THE FINANCING SAID REAR LOAD REFUSE PACKER IS BY THE PAYMENT OF \$521.03 FROM THE VILLAGE OF CUBA AND \$280.56 FROM THE TOWN OF FRIENDSHIP REFUSE FUND AND ISSUANCE OF A STATUTORY INSTALLMENT BOND IN THE AMOUNT OF \$174,000., MATURING OVER A PERIOD OF NOT MORE THAN FIVE (5) YEARS FROM JUNE 10, 2013. THIS PASSED UNANIMOUSLY.

- A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE MICHAEL DOYLE TO SET THE PUBLIC HEARING DATE ON THE TENTATIVE 2013-2014 FISCAL YEAR BUDGET AND THE ORGANIZATIONAL MEETING FOR APRIL 8, 2013 AT 7:00 PM. THIS PASSED UNANIMOUSLY.

OLD BUSINESS: none

WITH NO COMMENTS OR QUESTIONS A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE ANDREW SWIFT TO CLOSE THE PUBLIC HEARING ON BOTH LOCAL LAW #1 & #2, 2013. THIS PASSED, TIME: 7:30PM

A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE JUDITH ZAYAC TO ADOPT LOCAL LAW #1, 2013 REGARDING AND CHANGE OF HANDICAP PARKING ON WEST MAIN ST. TO FROM 46 W. MAIN ST. TO 45 W. MAIN ST. ROLL CALL VOTE ALL APPROVED.

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE ANDREW SWIFT TO ADOPT LOCAL LAW #2, 2013 REGARDING REGULATIONS OF GARAGE/YARD SALES WITHIN THE VILLAGE. THIS PASSED WITH A ROLL CALL VOTE UNANIMOUSLY.

A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE ANDREW SWIFT TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES. TIME: 7:32PM

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE ANDREW SWIFT TO COME OUT OF EXECUTIVE SESSION. TIME: 8:09 PM

WITH NO FURTHER BUSINESS TO DISCUSS A MOTION WAS MADE BY TRUSTEE ANDREW SWIFT AND SECONDED BY TRUSTEE MICHAEL DOYLE TO CLOSE THIS MEETING. TIME 8:10PM

**RESPECTFULLY SUBMITTED**  
**D. WILSON**