

February 12, 2008  
Regular Meeting of the Town Board  
Of the Town of Cuba

**Present:**

Council Persons: Jerry Scott, Joseph Thompson,  
 Robert Carney, Lynnford Sweet

**Also Present:**

Nancy Orcutt, Town Clerk, Gary Fries, Police Chief &  
 Ambulance Administrator, Steven Nease, Highway Supt.

**Absent:**

Barbara Deming, Supervisor

Deputy Supervisor Scott called the meeting to order at 7 PM with the Pledge of Allegiance.

**15 Minutes for Public to Speak:** There were no comments at this time.

**Approve Minutes of Previous Meeting 01/08/2008:** The minutes were approved on the motion of Thompson and second of Sweet. All in favor, motion accepted.

**Approve the Supervisor's Report for Jnuary:** The General Fund received \$19,019.98, disbursed \$88,301.75 while the Highway Fund received \$767.39, and disbursed \$46,483.14. Sweet motioned to accept the Supervisor's Report as given. With the second of Carney and agreement of the rest of the board, motion carried.

**Approve General & Highway Abstract for February:** Total for the General Fund is \$26,547.89 and the Highway Fund is \$46,821.55. With no discussion a motion was offered by Sweet and seconded by Thompson to accept the Abstract as presented. Motion passed with the agreement of all Board Members.

**Clerk's Correspondence:** Orcutt read a letter received from Gordon L. Maker, operator of the Echo Family Fun Center. It is a letter of notice that an application has been submitted to the NYS Liquor Authority for an on premises liquor license. She also reported that DSL will be needed to operate the License Issuing Computer provided by the DEC. The Town is responsible for the DSL line and the DEC will be replacing the computer with an upgraded computer to perform the task. This will be taking place some time this spring. Since DSL is already in the Clerk's Office, there is no added expense, in fact, it will mean the elimination of one of the two phone lines the Office requires at this time.

**Board Comments:** Thompson reported he received a complaint of a sheep not being taken care of properly in the extreme weather conditions we are currently experiencing. The Allegany County SPCA was notified and said they cannot respond to the call, giving no other explanation. Scott will follow up on the reason for this lack of action.

**Library Report:** Once again Linda Dutton gave her annual report for the Cuba Library. With great enthusiasm, she explained this library is a popular materials library, offering current materials and programs to meet the informational, cultural and recreational needs of all citizens in the greater Cuba area. The materials budget of \$17,200 keeps the collection current with bestsellers, nonfiction for personal use and homework support plus magazines and newspapers, audio books, DVD's and vidies and musical Cd's. Circulation was 53,995, 18% more than 10 years ago.

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The Library hosted 78 programs last year with over 2,000 people attending. Children's services offers story hours and after school programs. The Library funding comes from a variety of sources. In 2007, \$95,000 came from the voters in the Cuba-Rushford School District. \$17,000 came from the Village while the Town provided \$16,000. The Library generated \$6,387 through fines and copy charges. Gift and Memorial money totaled more than \$18,000. The Library also received a grant of \$3,100 from the New York State Division for Youth, \$2,634 from the Allegany County United Way, NYS Book Share funding from Senator Catherine Young, and a \$5,900 Member Item from Assemblyman Joe Gigilio for purchase of a microfilm scanner.

**Police Department Comments:**

Totals for January - UTT, 34, YTD, 34, MVA, 6, YTD, 4, calls for service, 272, YTD, 272 and number of cases, 23, YTD, 23. Chief Fries attended Snowmobile Seminar where once again a great deal of useful training was done. The Seminar was sponsored and paid for by New York State. Since there is no Police Department in Friendship at this time, the Supervisor of the Town of Friendship requested of the Cuba Police Department to field train a Sheriff's Cadet they sponsored. After a brief discussion Sweet motioned to allow the Department to Field Train Casey Austin. Thompson seconded the motion. All in favor, motion passed.

**Ambulance Comments:** There were 28 runs for January. Of these, 13 were ALS calls with Cuba handling 8 and Olean 10 taking 4 and MTS taking one. The new cell phones will be installed this Friday. The next meeting is scheduled for February 18<sup>th</sup>.

**Fire Department Comments:** The Truck Committee has two meetings scheduled this month in hopes to finish up the final truck specs. The lengthy process is getting close to being ready for bid. The Department will be purchasing 10 new sets of turnout gear this month to outfit new members as well as replace some worn out gear. Churchville Fire Equipment will be here tomorrow night to size the personnel for new gear. A handful of personnel attend the fireman's winter games put on by FASNY IN Cortland this past weekend. This event is a Fireman's Olympics with several competition events to participate in for more or less bragging rights. Some examples of the events were Downhill tube race, Broom Ball, Rope Pull, all performed in full firefighting turnout. Clarksville will be supplied with a pumper and crew Saturday, February 16<sup>th</sup> to cover their district while they have their Annual Dinner for installation of officers at Moonwink's. There were 19 incident responses for the month of January: Structure Fire/Possible Structure Fire, 4, Tree/Lines Down, 1, Mercy Flight Landing, MVA, 9, Ice Rescue, 2, Pumping Detail, 1.

**Highway Department Comments:** Plowing and sanding have been done as needed. Brush has been cut on Spring Valley Rd. Two trees downed due to high winds have been removed from roadways. Winter maintenance is being done to machinery as needed. New York State inspection was performed on 1990 autocar. More salt has been ordered. Equipment repairs include Mack rear end replaced due to teeth broken on ring gear, 1996 International bad check valve on injection system and 2003 Sterling wing slide was replaced.

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**Dog Control Officer Comments:** In this month's time there were 20 incidents, with over 25 hours of work, including numerous phone calls made concerning licensing of dogs, or to get more information concerning complaints. Many of the complaints have been centered around dogs chained outside during the cold weather, often the dogs were barking continuously, and this prompted someone to call. In many of the cases, the owners just needed to be reminded of the barking ordinance, along with reminding them that the dogs needed proper shelter according to the Agriculture and Market Laws, Article 26. Many new dog owners to our town needed to be reminded of the leash law, as well as the pooper scooper law. Botens feels that after she has spoken with the people involved in the above situations, everything improved. No tickets were necessary. In another incident, a woman complained that another woman had taken her dog. After an investigation, the dog was returned to the proper owner; however, upon doing this, another incident occurred, involving a python snake, which according to NYS DEC Laws, the snake is on the regulated list and on the most dangerous animals list. This situation was turned over to the DEC and they are handling this. These above incidents occurred in the Accord Apartment; whereby, dogs, cats and other animals such as snakes are not allowed. Therefore, Botens discovered that she had to visit all the apartments owned by Accord to give out tickets to comply. At this point, all dogs have been removed from these apartments, with Accord's assistance. These situations listed involved six days of investigation. Please note the Accord Apartments are on Genesee Street.

**Code Enforcement Officer Comments:** No comments due to Klein's absence.

**Old Business:**

**Employee Policies:** The policies are about 90% complete.

**Sewer District No.5 Update:** A mailing will be done to the property owners with improved land. The letter will ask if they are going to hook up to the system and to map out where the current septic is and any buried electric lines. They will be asked to respond within 30 days of the receipt of the letter.

**Building:** Gary Fries presented a plan and estimate from Cummins Construction for the new ambulance facility to be located on Water St. An estimated \$150,000 would go up or down depending on the type of construction wanted. At this price it would include split face block (much like the new Valeron Station). The bay area would be 14 foot in height and a steel type ceiling. This would make this area user friendly for washing of vehicles. The Office/Meeting Room area would be 8 foot in height and be done in dry wall and ceramic floors. This does not figure in the cost of what excavation, water, sewer hookup or the cost of blacktop. If this unit was built with block work coming up around the four foot mark and then constructed of wood, the cost would be reduced.

**Reval Resolution:** Deputy Supervisor Scott explained the Town needs to pass a resolution in order to do a property revaluation. He read the resolution and called for a motion. The results are as follows.

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**RESOLUTION 2008-1**

**RESOLUTION TO AUTHORIZE A REASSESSMENT OF PROPERTY TOWNWIDE**

At the meeting of the Town Board of the Town of Cuba held on the 12<sup>th</sup> day of February, 2008, there were present: Councilmen Jerry Scott, Robert Carney, Joseph Thompson and Lynnford Sweet. Also present: Nancy Orcutt, Town Clerk  
Absent: Supervisor, Barbara Deming.

Mr. Lynnford Sweet offered the following resolution and moved its adoption.

WHEREAS: Section 305 of the NYS Real Property Tax Law mandates uniform and equitable assessments, and

WHEREAS: The last two town wide assessments took place in 1992 and 1999 respectively, and

WHEREAS: The Town Board has adequate reason to believe that a reassessment is necessary to comply with Section 305 of the NYS Real Property Tax Law, now therefore be it

RESOLVED: That the Assessors of the Town of Cuba are hereby authorized to undertake and implement a reassessment for the year 2009 assessment roll, and further

RESOLVED: That the Town Board and the Assessors are authorized to enter into any necessary agreement to achieve this purpose provided that any expenditures are approved by the town board and that any private contractor agreements be reviewed by legal council.

Motion was seconded by M r. Joseph Thompson and the vote was as follows:

Ayes:  
Jerry Scott  
Robert Carney  
Joseph Thompson  
Lynnford Sweet

Nos:

Absent:  
Barbara Deming

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**Luca:** Things are moving forward as planned.

**New Business:**

**Informational Request For Ambulance:** Rosie Chambers submitted a questionnaire for Board approval. It would provide the Ambulance Department with information on any area in need of improvement. It would be sent to patients (taken care of in one month) with a SASE. It would help the Crew Members to make Cuba Ambulance more efficient as well as more professional. The cost would only be around \$50 a year. Carney motioned to approve Chambers request and it was seconded by Thompson. All in favor, motion passed.

**Police Alternate In Charge:** The Board feels some need to have an alternate in charge officer in the event the Chief is not available. After some lengthy discussion, it was decided to table the topic until further information is gathered about how the person should and could be compensated.

**15 Minutes For The Public to Speak:** Thompson Commented on the Dollar General Store stating they can reopen only after a smoke detection or sprinkler system is installed or the capacity is set a limit provided by law. Letters of this nature have been sent to the building owner and store manager.

At 8:02 PM motion to adjourn was offered by Sweet and seconded by Carney. All in favor, meeting adjourned.

Respectfully Submitted,

Nancy A. Orcutt  
Town Clerk, Town of Cuba