

February 10, 2009  
Regular Meeting of the Town Board  
Of the Town of Cuba  
NOT YET APPROVED

**Present:**

Supervisor: Barbara Deming

Council Persons: Jerry Scott, Robert Carney, Lynnford Sweet, Gary Gluck

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

Supervisor Deming called the meeting to order at 7:00 PM with the Pledge of Allegiance.

**15 Minutes for Public to Speak:** No comments.

**Approve Minutes of Previous Meeting 01/14/2009:** Sweet motioned to approve the minutes of the previous meeting, with terminology of "Assistant" or "Deputy" for Dog Control to be discussed in Executive Session. This was seconded by Gluck, all in favor, motion approved.

**Approve the Supervisor's Report for January:** The General Fund received \$15466.69, disbursed \$37,747.17 while the Highway Fund received \$0, and disbursed \$34,124.00. Scott motioned to accept the Supervisor's Report as given, seconded by Carney, all in favor, motion passed.

**Approve General & Highway Abstract for February:** Total for the General Fund is \$82,814.08. Highway Fund is \$43,777.50, and the Sewer District Fund was \$17,875.50. The Sewer District Fund is not paid immediately, Board approval is necessary with bills forwarded to EFCA. They in turn reimburse the Town for the total submitted. Sweet offered the motion to accept the Abstract, seconded by Carney. Motion passed with the agreement of all Board Members.

**Clerk's Correspondence:** None.

**Board Comments:** Gary Gluck asked if a fee has been set yet for fingerprinting. Chief Fries will check the surrounding Police Departments for their charge and Town of Cuba will set a price accordingly. Deming reported the Chamber of Commerce will have its annual meeting on March 7<sup>th</sup> and the Business After Hours will be held at the Library on February 11<sup>th</sup>. Scott commented on the improved parking situation around Cuba Lake.

**Annual Library Report:** Cindy Dutton again reported she has the best job in town. The Cuba Library is the second largest library in Allegany County and the sixth largest in the five counties in the Southern Tier. Our library has 78% of the books listed on the New York Times Best Seller List. This is a popular material library as opposed to an academic or corporate library. The website for the library is [www.stls.org/cuba](http://www.stls.org/cuba), where you can search the electronic catalog with the holdings of the 45 library members of the Southern Tier Library System. A list of activities is located on the calendar link while the Director's Corner has an annotated list of new books. There were 49 programs in 2008 and 187 story hours. The Friends of the Library supports the library in many ways, for example two annual book sales and the Thanksgiving Pie Sale. In 2008, 66% of the total funding came from the voters in the school district while the Town and Village

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contribute \$17,000 and \$16,000 respectively. Funding is also raised through fines and copy charges, Grants, endowment fund and memorials. An energy use study was performed and a grant has been applied for to reduce energy costs.

**Police Department Comments:** The following are totals for January - UTT, 40, YTD, 40, MVA, 11, YTD, 11, calls for service, 248, YTD, 248 and number of cases, 27, YTD, 27. Aaron Wight has submitted an application for the Police Academy starting in August. Fries asked the Board if they would consider hiring him to attend and eventually in 2010 upon completion of the academy, going to work for the Town. The Board would like to meet with him before they make that decision. Fries will make the arrangements. Both John Waide and Frank Schostick will be done with their field training and there are no problems to report. Hopefully this next month Fries can schedule them to go out on their own. The Stop DWI Contract is in for signing, we are allocated \$4,000 for special patrols again this year. Deming Signed the contract for its submission.

**Ambulance Comments:** The background checks on Jamie Dennis and Kyle Farwell came back with no negative response. There are two new applicants for the Ambulance Service., Kevin Nutt and Jeffrey Ormsby. Nutt has applied as a driver and Ormsby is a current EMT and dispatcher for the County. Background checks have been sent on both. Scott motioned to hire Dennis and Farwell, seconded by Carney, all in favor, motion passed. Aaron Appleby is now Critical Care Certified. There were 32 runs for January. Eight in New Hudson, 2 for Friendship. There were 14 critical Care calls, 12 taken by Cuba, 1 by MTS and 1 by Olean-10. There were 322 runs last year; out of these 158 were critical care calls. Cuba handled 103, Olean-10, 50 and Medic 700, 5.

**Fire Department Comments:** Fire Chief Derek Clement gave an update on the firefighters involved in the Friendship fire collapse. Appleby was treated and released the day of the fire for minor injuries, Hughes will be released for full activity on March 1<sup>st</sup>, Sweet is still restricted from work and will be going to the doctors again the first week of March. On January 26<sup>th</sup> there was a structure fire on County Road 20 where when in the overhaul stage of the fire and a second floor ceiling collapsed trapping Jason Jones. He was treated and released that day for bruises and abrasions. James Kupiec had been subjected to upper respiratory and lung burns. He was Mercy Flighted to ECMC where he spent nine days in ICU burn unit and two days in a step down room. Kupiec came home on February 6<sup>th</sup>. After inspection from the Public Employee Safety and Health, a citation was cited for interior personal mask fit test being two months over due. The department has until mid-March to correct the problem, and is about 50% complete already. After the second incident on January 28<sup>th</sup>, a full inspection was done by PESH. There are 9 or 10 issues to be corrected, the citations will not be in writing for two weeks, but some of these issues are already being resolved. Churchville Fire equipment will be in February 11<sup>th</sup> for an OSHA mandated annual inspection of Air Packs. The company does a thorough inspection of each pack as well as a certification flow test. There were 20 incident responses for the month of January: MVA, 1, manhole fire, 1, structure fire, 4 chimney fire, 1, traffic control, 2, assist Cuba Ambulance, 1, rekindle, 2.

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**Highway Department Comments:** Superintendent Nease reported plowing and sanding was done as needed. Snow was removed from intersections and roadsides where necessary. Bradley Ave. has been cleared of snow piles. Two ice problems from Jackson Hill Rd. were resolved. Town crew assisted the Village in removing snow from the downtown area. Willow Bank Park currently has an ice problem also that the Town is helping the Village workers resolve this issue as well. Nease sends his thanks to Rick Hall and Duane Hopkins from the Village for sanding some Town roads while the Town had a truck in for repair. Roads are being posted due to the change in weather; a legal notice will be published in the next edition of the Cuba Patriot. Equipment Repairs: complete brake job on the 1995 tool truck, new batteries in the 2003 Sterling, hydraulic hose repair on the 1999 Mack, serpentine belt and several bearings replaced on the F-550 1-ton truck. Unofficially reported by the State, the Town's CHIPS funding will take a 41.63% reduction in funding. This equates to approximately \$54,000 for road reconstruction in 2009 or about one-half mile of asphalt road. Nease requested that the Town Board write a letter to Senator Catherine Young to try to get more money reinstated into this program. The Highway Superintendents Association is also working on doing the same. In 2008 the Town had \$98,000 to work with and 2007, \$78,000. Deming commented that what she has seen so far on the Stimulus Package that cuts are being made and supposedly being implemented into the Package. Nease added that the price for asphalt has not dropped even though the price of petroleum has come down.

**Dog Control Officer Comments:** The Town Clerk gave the Dog Control Report as submitted by Linda Botens. Between January 8<sup>th</sup> and February 4<sup>th</sup>, 54.9 miles were traveled and several hours were spent getting overdue licenses updated. Four dogs were reported running at large. One dog was not found, the other three were returned to owner after all paperwork was in place. An incident where dogs were being illegally housed in an apartment building where pets are only allowed if permits are filed with the property owner is still being looked into. Botens will be out of town from February 13<sup>th</sup> - 19<sup>th</sup>. Claudette Haynes will be on duty in her absence. Her phone number will be on file with the Police Department.

**Code Enforcement Officer Comments:** Dick Klein reported that he recently spoke to David Goldsmith, owner of the bowling alley, and was informed an insurance settlement will be made soon. The Fire Department will be reimbursed for equipment damage. He will apply for a demolition permit and a second permit to construct another building. At this time it is believed an outfit from Wellsville may do the demolition as they are NYS licensed for removal of asbestos.

**Old Business:**

**Sewer District #5 Update:** The DEC is finishing the paperwork necessary to complete the process. When this comes in, possibly in two weeks, the bid should be able to go out sometime in March

**Reval Update:** An informational meeting will be held for the Town Board Members on Thursday, February 12, 2009, at 2 PM at Bull St.

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**Highway Contract Update:** Another meeting needs to be scheduled to further discuss proposals.

**New Business:**

**Loader Ban Resolution:** The Town Clerk read the proposed Resolution for the issuance of \$77,300.00 in serial bonds to finance the new John Deere Model 624K Front End Loader. A copy of this resolution is filed in the Minutes Book of the Town Board of the Town of Cuba and located at the Town Clerk's Office. After the Resolution was read, Gluck moved its adoption and seconded by Sweet. A roll call vote resulted in 100% agreement. An Estoppels Notice will be published in the Cuba Patriot February 18, 2009.

**15 Minutes For The Public to Speak:** Fries inquired about replacing the Dodge Durango. Deming asked him to gather information for the Board and it will be discussed at that time.

At 8:15 PM Sweet motioned to adjourn to executive session to discuss personnel, seconded by Carney, all in favor, motion passed.

At 9:27 PM the regular meeting reconvened where it was clarified that 'Assistant Dog Control' means assisting and 'Deputy Dog Control' means in the absence of the appointed officer. This was a misconception on the part of the Clerk. Sweet motioned to correct the title of Assistant Dog Control Officer to Deputy Dog Control Officer. It was seconded by Gluck. All in favor, motion passed. At this time Sweet motioned to adjourn the meeting, seconded by Deming, all in favor, meeting adjourned.

Respectfully Submitted,

Nancy A. Orcutt  
Town Clerk, Town of Cuba