

Regular Meeting of the Town Board
Of the Town of Cuba
NOT YET APPROVED

Present:

Supervisor: Barbara Deming

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

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

Supervisor Deming opened the regular meeting at 7PM with the Pledge of Allegiance.

The first order of business was the swearing in of newly re-elected officials, Council Persons, Lynnford Sweet, Robert Carney and Town Clerk, Nancy Orcutt.

15 Minutes for Public Questions: Susan Babcock, from Cuba Lake, questioned the sewer fee added to her County and Town Tax Bill. Deming explained that the Sewer District #5 will be in use by the end of July, and the tax is added to start paying the bills as they come in. Ms. Babcock then questioned the amount of increase in the budget, which Deming explained spending increased only \$2,200, due to uncontrolled costs incurred such as State mandates, insurance, gasoline etc. Carney also mentioned that this is not the time to challenge the budget; it is during the three months the new budget is being worked on, September, October, and November. At the Hearing held in November, not one single person showed up or even stopped in to the Clerks Office to look at the budget to see where the money is being spent or how much it costs to run a Town. Carney said the only way to cut expenses at this point is to cut services. He also stated that until a majority of taxpayers come forward and inform the Board of what services they would be willing to take a cut back on, there is nothing else to trim from our budget, we are operating on a bare bones budget now.

Approve Minutes of Previous Meeting 12/08/2009: Gluck motioned to accept the minutes as presented by the Clerk. Scott seconded the motion, all in favor, Minutes approved.

Approve the Supervisor's Report for December 2009: Scott motioned to accept the Supervisor's Report as given, seconded by Sweet, all in favor, motion passed. The General Fund received \$33,371.01 and dispersed \$76,674.34, while the Highway Fund received \$38,987.17 and dispersed \$68,067.35.

Approve General & Highway Abstract for January 2010: The General Fund dispersed \$35,048.91, Highway, \$12,270.23 and Sewer District #5, \$116,289.82. Deming requested that a bill for Clark Patterson Lee, which arrived today, be added. The amount is \$29,476.10. Gluck motioned to accept the

Abstract, with the addition, seconded by Scott. Motion passed with the agreement of all Board Members.

Clerks Correspondence: None.

Board Comments: None.

Police Department Comments: In December 2009, the department received 248 calls for service and handled 23 cases. The year ended with Cuba Police responding to 3155 calls for service, 372 cases, 388 traffic summons issued, and 94 motor vehicle accidents. The Department received \$3,985.15 from the Stop DWI Program out of the \$4,000 awarded for 2009. Officer Aaron Wight and Timothy Root have begun their Field Training. Officer Frank Schostick will be back to duty on January 22, 2010. Officer Joseph Frederick will be off duty for approximately 6 weeks beginning mid-February. Over the last three years, calls for service were down, while arrests were up.

Ambulance Comments: Tom Flower has resigned from the Ambulance Squad due to unavailability. Last month there were 37 calls to service. Eleven of these calls were critical care with Cuba handling 10 and Olean 10 taking 1.

Fire Department Comments: Chief Randy Snyder reported that Cuba 1 is on for the month of January. He requested caution be used in responding to calls now that winter is here. Snyder thanked everyone who helped with the Holiday Parade. The Holiday Dinner is January 16th starting at 6:00 PM. Report of Alarms for December 2009: 1 traffic control, 1 mutual aid, 1 Mercy Flight, 2 CO calls, 3 structure fires, 1 tree down, 1 assist ambulance, 2 pump detail, 1 chimney fire, 1 controlled burn, 1 garage fire, and 1 fire alarm at Erin's Isle. Total calls for 2009 totaled 164. Thank you to the Village and Town Boards for your continued support.

Highway Department Comments: Plowing and sanding was done 27 of the last 35 days. Brush is being cut on Witter Road and W. Main Street. The summer equipment is being checked over and repairs done as necessary. Equipment repairs: replaced front wing cable on the 2003 Sterling, replaced rear wing cable on the 1999 Mack, Replaced the plow center bolt on the 2005 F-550, and replaced the transmission on the 2004 F-250 (with 103,000 miles on it). Year-end report for 2009: Paving included 1600 feet on Spring Street, 1.2 miles of North Branch Road. Chip Seal included .8 miles of Summit Road, .6 miles of Beebe Hill Road. Used 572 tons of hot mix patch, 6 tons of cold mix patch, 2800 tons of sand, 365 tons of salt, 200 tons of crushed gravel, and 4500 tons of screened gravel. There were 3 weeks of tornado related work done in late summer.

Dog Control Officer Comments: Many calls were from surrounding towns to keep a look out for missing dogs. Shelter and impound fees were paid on the dogs picked up running at large. To avoid potential problems, several warnings were issued to dog owners. Two dogs were taken to the SPCA Serving Allegany County, as the owners could not be located. Total miles traveled in December were 97.

Old Business:

Sewer District #5 Update: Pumps are being installed at the school and should be on-line by Thursday. The estimated time of completion is July. Work still needs to be done with the Village and the Seneca Nation, but all is moving along well. The Seneca Nation has already paid for the work and equipment necessary to hook into the system. They are not benefitting from any of the grant or loan money applied for by the Town.

Police Contract: Committee members for the contract are Gary Gluck and Rob Carney.

Salt Shed Update: The Salt Shed is completed and being utilized. Grant money is expected to be received soon.

New Business:

Assessor: Ellen Scott has resigned her position as Assessor due to new conflicts in her schedule. Sweet motioned to accept the resignation and seconded by Carney, all in favor, resignation accepted. The position will be appointed by the Board.

Annual Meeting Appointments: A copy of this list is attached to the end of the Minutes.

Rural Development Grant: Cuba Community Development Center would like to apply for another Grant for Small Cities. There will have to be a Public Hearing in February or March of this year before they can apply for the Grant.

Junk Yard Permit: Stewart Freeman has submitted his application to run the junk yard located at 9807 Route 446. He is currently in the process of purchasing the business and would like to have all the paperwork in place as soon as possible. After a brief discussion, Carney motioned to approve the application, seconded by Sweet. All in favor, motion passed.

Legal Retainer: A Retainer Agreement has been received from Richardson & Pullen, P.C. for the year of 2010. There is a modest increase of \$5.00/hour for attorneys and no increase for paralegal services. It is the first increase in nine years. After a brief discussion, Scott motioned to accept the agreement, seconded by Sweet, all in favor, motion passed.

Gravel Pit: The renewal of the contract between the Town and Jean Searl for leasing the gravel pit is due. Searl is asking for an increase from \$10,000 to \$13,000 annually. Other local rates are more than what our current rate. Nease commented that even at the increase the Town is still saving more than \$3,000 by having to purchase product and pay hauling fees. There is a lot of bank run, screened and about two years of crushed gravel ready and available right now. Nease suggested that the contract continue on a five-year basis to coincide with the DEC mining permit. Scott motioned to renew the contract at the new rate for five years, seconded by Sweet, all in favor, motion passed.

Open Truck Bids: The bids read as follows:

West Herr Ford, Hamburg, NY,	\$25,903.00
Joe Basil Chevrolet, Depew, NY,	\$29,399.00
Emerling Chevrolet, Boston, NY	\$29,995.00
Ed Schultz Ford, Jamestown, NY	\$28,870.00
Vision Ford, Rochester, NY	\$28,997.00

Bids will be tabled until the next meeting in February. Carney and Nease will review the specifications and make a recommendation at that time.

Deming suggested that the Board appoint Claudette Haynes as full time Dog Control Officer and remove the temporary status. Sweet motioned to do so, seconded by Carney, all in favor, motion passed.

At 7:45 PM, the regular meeting was adjourned to executive session to discuss personnel and legal issues with a motion from Scott and a second by Sweet.

The regular meeting was re-opened at 8:20 PM. Scott motioned to appoint David Crowley as assessor, seconded by Sweet, all in favor, motion passed. The appointment will run through December 31, 2010. If Crowley decides, he may run for the position in November. Whoever is elected in November will be assessor for the remainder of the term, December 31, 2013.

Carney motioned to raise the Med-Ex fees to bring the Town from below average to average pricing. Next, the Highway contract was approved with a motion by Sweet and second of Carney. A roll call vote showed Deming, Scott, Sweet, Carney, and Gluck all saying yes.

At 8:35 PM motion to adjourn was offered by Scott, seconded by Sweet, all in favor, adjourned.

The next Town Board meeting will be held on February 9, 2010 at 7:00 PM at the Cuba Library.

Respectfully Submitted,
Nancy A. Orcutt, Town Clerk

**TOWN OF CUBA
APPOINTMENTS AND DESIGNATIONS
2010**

Depository: Five Star Bank for all accounts, with the exception of the Town Clerk's account, which will remain with Community Bank.

Monthly Meetings: 2nd Tuesday of each month at Cuba Library

Official News Paper: Cuba Patriot

Attorney: David Pullen

Deputy Supervisor: Jerry Scott

Registrar of Vital Stats: Nancy Orcutt

Deputy Town Clerk: Jeff Orcutt

Police Commissioner: Barbara Deming

Historian: David Crowley

Dog Control Claudette Haynes

COMMITTEE APPOINTMENTS

Police Committee: Barb Deming & Gary Fries

Highway Committee: Rob Carney & Steve Nease

Ambulance Committee: Lynn Sweet & Gary Fries

Equipment Committee: Rob Carney, Steve Nease & Gary Fries

Budget Committee: Entire board

Chamber of Commerce: Gary Gluck

Village Board liaison: Jerry Scott

Lake Commission: Lynn Sweet

Grievance Committee: Barry Cummins, Joni Kottwitz and ????

Fair Housing Admin.: Nancy Mereday