

November 11, 2008  
Budget Hearing  
For Fiscal Year 2009  
NOT YET APPROVED

**Present:**

Supervisor: Barbara Deming  
 Council Persons: Jerry Scott, Robert Carney, Lynnford Sweet

**Also Present:** Nancy Orcutt, Town Clerk

Supervisor Deming called the Hearing to order with the Pledge of Allegiance.

Deming proceeded by announcing the tentative preliminary budget has an increase of 2.59% for the upcoming year. She then asked if there were any comments, questions, or suggestions. With no immediate response, Deming said the increase is due to items the Town has no control over, such as fuel prices, health care, and pensions. Law mandates the latter of these. After a brief discussion of 2008 costs and projected 2009 costs, there were no other comments.

A motion made by Carney to close the Public Hearing and the second by Sweet came at 6:45 PM. All in favor, Hearing adjourned.

**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

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

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

**Appointment:** Gary Gluck won the election to replace Joseph Thompson as Councilperson. Scott motioned to appoint Gluck as Councilperson to fill the vacancy until the end of the 2008 year. This motion was seconded by Sweet, all in favor, motion passed. The Town Clerk then swore Gluck into office. Gluck's term will begin on January 1, 2009 and runs through December 31, 2011.

**15 Minutes for Public to Speak:** Tom Swift from Clark Patterson updated the status of the Sewer Project. Final approval is in from all necessary except the Village of Cuba, Paul, and Barry Cummins. This is because McDonalds was uncooperative and a slight adjustment in the line was necessary. Approval from the DEC is also not in yet, but approval is expected within the next two weeks. Dave Pullen, Town Attorney, needs to do a certification with the RDA also. At this point, the Town will be able to send the project out for bid. Swift says the bidding process should be open for at least one month. There will be a preconference for companies to ask questions. Bids will be opened either just before Christmas or after the first of the year.

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**Approve Minutes of Previous Meeting 10/14/2008:** The minutes were approved as submitted on the motion of Scott and second of Sweet. All in favor, motion accepted.

**Approve the Supervisor's Report for October:** The General Fund received \$436.92, disbursed \$51,317.15 while the Highway Fund received \$148.80, and disbursed \$56,333.53. Sweet motioned and Carney seconded to approve the abstract. All in favor, motion passed.

**Approve General & Highway Abstract for November:** Total for the General Fund is \$40,146.80, Highway Fund is \$50,533.12, the Capital Fund is \$16,053.50. Two additions need to be made to the General Fund, Barbara's Flowers and a reimbursement for medical co-pay bringing the General Fund total to \$41,249.65. A motion was offered by Scott and seconded by Sweet to accept the Abstract with the additions. Motion passed with the agreement of all Board Members.

**Clerk's Correspondence:** The American Legion submitted an application for a Raffle License and Bell Jar License for the 2009 calendar year. The VFW has submitted an application for a Bell Jar License for 2009. A motion to accept the applications was made by Gluck and seconded by Carney, all in favor, applications accepted.

**Board Comments:** Sweet commented that the new Ambulance building and Town Hall need to be postponed for a while and reconsider the construction of one facility rather than two. Sweet feels these needs to be addressed in the future rather than the next couple of years. Deming agreed and added that the economy is too shaky right now and could not in good conscience ask the taxpayers to fund a new building at this time. Upgrades will need to be made to the existing facility.

**Police Department Comments:** Totals for October - UTT, 57, YTD, 496, MVA, 6, YTD, 76, calls for service, 242, YTD, 3071 and number of cases, 26, YTD, 302. Jeff Dahill announced his resignation as of November 14, 2008 as he has been hired by the Olean Police Department. The policy of Olean is that their officers cannot work for any other law enforcement agency. He thanked the board for the opportunity to work here and for the experience he gained working in Cuba. The Board thanked him for his service and wishes him well. The background check on Steve McPhearson has been completed and checked out fine. Thanks goes to the highway department for installing the two outside lights in the parking lot. New lights will soon be installed in the office and the ambulance bay. Activity is up from last year, with the exception of MVA's. Sweet complimented the Chief on the progress of cutting down on speeders around the Lake. The presence of law enforcement and issuing of tickets has made a very noticeable difference giving the community a sense of safety. Fries accounted this to the grants received for being able to afford more patrol in this area and the new radar unit.

Sealed bids for the Jeep Cherokee were opened and read as follows:

Jan Aylor from Angelica, NY - \$2,650.00  
Joseph Bunk from Cuba, NY - \$2,105.00  
Don Glover from Cuba, NY - \$2,301.00  
Kelley Cowher from Cuba, NY - \$1,855.00

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Scott motioned to accept the high bid from Jan Aylor for \$2,650. It was seconded by Sweet, all in favor, motion passed.

**Ambulance Comments:** There were 21 calls to service for October. Of these, 13 were critical care calls with Cuba handling 7, Olean-10, 4, and MTS, 2. Cuba Ambulance stood by for 3 football games and the Fire Department's Smokey Sunday. Tonya Shannon has applied for membership to the Squad. She has recently belonged to the Hinsdale Squad and is presently employed at Olean General. Shannon needs to be recertified this spring and a background check needs to be performed. The light for the back of the ambulance has come in and needs to be installed.

**Fire Department Comments:** Open house was held on November 1<sup>st</sup> to show off the new truck and the rest of the equipment. The annual Halloween stand by at the fire hall where cider and donuts were passed out to the kids. There was also a table of fire prevention material ranging from items that had started fires to brochures of how to prevent fires. The Ham & Turkey party will be held on the 15<sup>th</sup>. The 1993 KME pumper refurbishment has been completed, it is now getting the lettering and stripes put on and should be done next week. Three members completed their Fire Fighter I Course this month. The course is 78 hours of classroom and hands on training with a final written exam. This course is required by NYS for all firefighters. Responses for October: MVA 3, structure fire, 1, water rescue, 1, possible structure fire, 1.

**Highway Department Comments:** the hot patching is finished and shoulders on Hilltop have been repaired. Shaffer and Townline Roads are graded. Townline and W. Keller Hill Roads have had trees trimmed. Two outside light for the police department were installed. South Road pipe is being cleaned on a regular basis due to frequent beaver activity. Asphalt roads have plowed and sanded twice already. NYS bridge inspectors issued a safety flag on the Bull St. Bridge for no guide rail. Equipment repairs include 2003 Sterling front suspension and brake repairs, 2003 F-250 starter replaced, 1999 Mack headlight repairs, 1996 international two hydraulic hoses repaired, and 2002 broom is at Anderson Equipment with engine problem. Deming brought up the subject of the Salt Shed Grant. The Department of State informed Deming that with all the cutbacks, the Grant may be rescinded and the contract needs to be signed and sent in as soon as possible. Allegany County DPW has yet to send the drawings, the DEC needs to do a SEQR review and things need to be quickly pushed into motion. Nease will try to get the drawings from the county and the DEC has been contacted for the review already.

**Dog Control Officer Comments:** There were 10 major incidents in the Township of Cuba for the period of October 9<sup>th</sup> - November 6<sup>th</sup>. Over 20 dogs were reported missing from the surrounding townships, usually people receive a dog control officer's number from the SPCA's and they refer them to local DCO's in the area. Calls were also placed concerning people who needed to update their licenses for their dogs. There were 81 miles logged. One dog was missing for 6 days and finally located. Botens will be placing an article in the patriot reminding people to call 716-307-1714 if they have found a stray dog. Several warnings have been posted to remind people with the colder weather, they should not leave their dogs outside without proper shelter. Friendship Dog Control has asked for mutual aid between the two townships. In addition, our previous assistant dog control officer for Cuba

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has resigned. Botens has some suggestions in mind for her replacement. Deming would like to table appointing someone at this time in order to make a more informed decision.

**Code Enforcement Officer Comments:** Upon Klein's resigning from the Village as its Code Enforcement Officer, he has taken six file drawers of Town records relating to building and code enforcement to a storage room in his home. Still a Town appointed employee, he now works out of his home office. The Town may take possession of these records at any time they wish. Many permits have been closed out and certificates have been applied for with Atlantic Inland.

**Old Business:**

**Reval Update:** A discussion needs to take place with Deming, Sweet, the assessors, and those involved in doing the reval, on how to approach the Lake District to make it equitable for all involved. Progress is slow but coming along and the next informational meeting should be in February as planned.

**Budget:** With no more discussion on the budget, Carney motioned to pass preliminary budget for 2009 as presented. Sweet seconded the motion. A roll call vote was as follows:

Sweet, Yes, Scott, Yes, Carney, Yes, Gluck, Yes, Deming, Yes.  
All in favor, budget approved.

**New Business:**

**Seniors Real Property Exemption:** The county has increased the ceiling on basic senior exemptions to \$19,500. Persons on a fixed income and aged 65 or older, receive a break on their assessed taxes. Currently, the Town of Cuba is at \$12,000 and would like to increase the amount to \$16,000. Depending on the qualifying senior's income, they could receive anywhere from 5% to 45% discount on their property taxes, excluding any special district taxes such as the fire district. After some discussion, Deming moved to increase the sliding scale amount from \$12,000 to \$16,000. Scott seconded the motion. Sweet, Carney, and Gluck are also in favor of the motion, be it resolved that the Town of Cuba changed the sliding scale to \$16,000. Those wishing to see if they qualify should contact the Assessor's Office at 968-0129.

**Loader:** The question is, should the loader be purchased this year or in 2009? The breakdowns on the loader is costly, by purchasing it now, it could save the Town money and preserve the trade-in value. A five-year BAN at 4.3% interest (or less) is available. A three-year BAN at 4% interest is also available, but for ease of payment, Deming would rather have a five-year BAN. After some discussion, Sweet motioned to purchase the John Deere Loader from Five Star Equipment this year on a five-year BAN. Scott seconded the motion, all in favor, motion passed.

**January Meeting Date Change:** The meeting date for January 2009 will be held on January 14<sup>th</sup> at 7:30 PM.

**15 Minutes For The Public to Speak:** Jim Galatio, one of Cuba's police officers, suggested that if there is a long wait for the new Town Hall, that improvements should be made to the existing building to make it more

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presentable to the public. The exterior should have a facelift with new signs stating, "Town of Cuba Police Department" and "Town of Cuba Court". Improvements are needed inside as well. After some discussion, Deming suggested that we wait a few months to see if the economy starts to turn around. Meanwhile, Galatio, with the input of the other officers and employees in Town Hall, could possibly make a list of minimal repairs and upgrades necessary to bring the building up to a more pleasing appearance. Repairs should be listed in order of priority. Her reasoning is to spend as little as possible so as not to subtract money from the building fund. Deming also suggested that if a benevolent committee wanted to do fund-raising to add money to the General Fund for this purpose, which would also help. The Town or elected officials cannot initiate fund raising.

At 8 PM Carney motioned to adjourn the meeting, seconded by Scott, all in favor, motion passed.

Respectfully Submitted,

Nancy A. Orcutt  
Town Clerk, Town of Cuba