

UNAPPROVED

The monthly Cuba Village Board Meeting was held on Monday, August 13, 2007 at 7:00 pm in the Cuba Village Hall, 17 E. Main St.

PRESENT: Mayor Thomas Taylor, Trustees Judith Zayac, John Shelley, David Sweeten and Michael Doyle. Superintendent of Public Works Richard Hall and Clerk/Treasurer Diane Wilson.

ALSO PRESENT: Lee James, Cindy Colley, Don Donovan, Richard Klein, CEO, Gary Fries, Police Chief and Derek Clement, Fire Chief.

THE MAYOR OPENED THE MEETING WITH THE PLEDGE OF ALLEGIANCE.

GUESTS: Cindy Colley ask the Board if Grove Street could be closed for the Annual Grove St. picnic on August 18, 2007 from noon to 6:00 pm? The Board approved this and Chief Fries said that he would provide the cones.

Lee James informed the Board that the Garlic Festival that is being held on September 15 & 16, 2007 is growing each year. They have approximately 60 vendors for this year's festival. They would like to add on by getting some activities downtown. This year they are asking that W. Main Street from the four corners of Route 305 to the ATM driveway of Community Bank be closed from 9:00 pm until midnight on Friday, September 14th for a street dance. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JOHN SHELLEY TO CLOSE W. MAIN ST. FROM 9:00 PM UNTIL MIDNIGHT ON FRIDAY, SEPT. 14TH FOR A STREET DANCE AND PASSED.**

Lee also asked if the open container law could be lifted that night just for the area listed above. **A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE MICHAEL DOYLE AND PASSED TO LIFT THE OPEN CONTAINER LAW FROM 9:00 PM UNTIL MIDNIGHT ON 9-14-07 FROM W. MAIN ST. AND ROUTE 305 TO THE ATM DRIVEWAY OF COMMUNITY BANK ONLY. THIS WAS PASSED UNANIMOUSLY.**

Lee also stated that they are stating that Laurie Buzzard was the founder of the Garlic Festival.

MINUTES: The Board all had copies of the minutes of July 9, 2007 regular monthly Board meeting and of July 18, 2007 special board meeting with the Town of Cuba. **A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF 7-9-07. A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE MICHAEL DOYLE TO APPROVE THE MINUTES OF 7-18-07, THIS PASSED UNANIMOUSLY.**

BILLS: Clerk/Treasurer Wilson give to the Board prior to this meeting a copy of Vouchers 98-188 totaling \$194,276.85 to be approved for payment. The following is a breakdown:

GENERAL FUND	\$176,315.42
WATER FUND	\$ 5,887.23
SEWER FUND	\$ 12,074.20

Ms. Wilson also noted that \$112,471.53 of the General Fund was the N. Branch Rd. and the crack sealing of E. Main St. Other than that the bills were normal. **A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE DAVID SWEETEN AND APPROVED TO PAY THE MONTHLY BILLS TOTALING \$194,276.85.**

POLICE REPORT: Chief Fries reported the activities for the police department in July 2007. Forty-eight uniform traffic tickets were issued of which ten were in the Village. There were ten motor vehicle accidents of which 6 were in the Village. There were 320 calls for service and 20 cases investigated in both Town and Village of Cuba. Chief Fries stated that the Mayor talked to him about curfews due to the many complaints of kids on the streets all hours of the morning. He said that Arcade has a good curfew law and has asked for a copy of it and he will get it to the Mayor. The Chief also stated that he would start reporting the ambulance calls in the future. It was noted that the Business After Hours would be held jointly with the Village and Town of Cuba, Police and Ambulance and Fire Dept. at Firemen's Park on September 12, 2007 from 5:00 pm until 7:00 pm. They police, ambulance and fire will have equipment there for people to see.

FIRE DEPT. REPORT: Chief Clement informed the Board that the fire department participated in the Allegany county Firemen's convention, this consisted of firematics competitions, truck rodeo and also marching in the parade. The department received many trophies throughout the convention and ended up with a 2nd place overall.

The department also sent trucks and firemen to the Southwestern Convention in Lake Erie Beach, where they brought home a 2nd place trophy for Fire Prevention Book. Also at the Cattaraugus County Fair they got best appearing.

The 5-year committee for the fire department has met and developed a new 5-year plan for possible purchases of equipment and various projects over the next 5 years. This has not been done in quite some time. This plan is per say, a wish list for equipment and projects with a projected spending cost breakdown between the Village and Fire Department on each piece of equipment or project and what year this will be completed. The Village's five-year virtually stays about the same. Trustee Shelley asked if the department ever goes for any grants as he saw in the paper Rushford got a Homeland Security grant. It was explained that Cuba is a wealthy dept. and they cannot receive that grant. But the department does go for grants for other equipment, such as turn out gear, radios, air machine and tanks, etc.

Chief Clement also informed the Board that Hale Pumps looked at Cuba 3 the 1993 pumper and they had suggested that our pump problem was an imbalanced drive shaft. Since then we have sent truck for work at Lyman Auto and had the drive shaft sent to Drive Shaft Specialties to be balanced. They found no problem with the drive shaft itself, but did replace a carrier bearing. Since we have had it back there is still an issue with the pump. We are currently looking into sending the truck back to KME, which is the truck manufacturer to see if the problem can be resolved. The Chief reported that the department responded to 15 incidents in July.

BUILDING INSPECTOR/CEO: Mr. Klein received a letter from Connection Inspector asking to be able to do electrical inspections in Cuba.

Mr. Klein talked to 24 residents about their pools and all but 12 were remedied. These twelve were given orders to remedy and enclosed the laws governing this. These Orders to Remedy were sent via certified mail.

Sent certified letters to Jean Kuhn owner of 17 Medbury Heights and to Mr. & Mrs. Hunt owners of 14 Chapel Street condemning their properties at those locations quoting the property maintenance law of New York State. The following are estimates for demolishing these properties; 17 Medbury Heights would be approximately \$6,000. and this does not including cutting brush or removing the vehicles; 14 Chapel St. would cost approximately \$7,000. to demolish and filling in the basement. Of course the owners will have the opportunity to pay these fees, but if they do not the costs would be considered a liens on the property.

The dental clinic is almost completed and he hopes to be opened sometime in September. The Cheese Shoppe is progressing; it took sometime to redo the electric. Rinker Oil is in the demolition stage and tank removal which the DEC has to inspect for contaminated soil and other things. Mr. Klein needed for information on the plans, which he explained and stated that Mr. Bradley has been very cooperative. Mr. Klein received a call from the Code Enforcement Officer in Olean and asked him to call the brother of the owner of The Bakery in Toledo, OH. This person asked him to put pressure on the Planning Board to approve the demolition and construction of a patio behind The Bakery, this person feels that this is not a zoning issue. Mr. Klein sent him an application for a permit to demolish the garage. An application to put in a patio and a Certificate of Appropriateness application as The Bakery is in a Historic District.

Trustee Shelley asked about the parking in front of the Cuba Cheese Shoppe, is it remaining as he feels this is a dangerous area. It was felt that since there were not many accidents in that area that the parking areas would remain, also there is parking at the school lot. Mrs. Bradley also said that they would be painting a sidewalk area closer to the building.

SUPERINTENDENT OF PUBLIC WORKS: Mr. Hall reported that the North Branch Road is done!! He stated that he could never express enough thanks to the Town of Cuba for all of their help with this project. Steve Nease is a tremendous asset to the Town. The County also had a hand in it by "milling" the road and bringing their shoulder machine to dress the shoulders up.

Little League bathroom roof was done and sun tube lights were put in.

Cut two nuisance trees on West Main St.

Forming and pouring sidewalks, should be done in about three weeks.

Swept up stone for the Town of Cuba after they chip sealed.

90% done with the hot patching.

Thanks to the Cuba Fire Department for use of a truck to water trees and cutting up a tree for us on Sunday on Orchard St.

New skate park equipment is in and Jay Morris will install after concrete is installed.

This equipment was purchased with donated money.

Removed a tree and flowerbed and garbage receptacle from Genesee Parkway as per the Tree Board.

The Board was copied on Guidelines for the Oil, Grease and Solids Removal Standard Program to comply with the Village of Cuba's' current sewer ordinance. With no questions on this a **MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE MICHAEL DOYLE AND PASSED TO ADOPT THESE GUIDELINES.** It was asked of Mr. Hall if he will be keeping a record of any violations or inspections. There will be records kept of all. It was discussed how often to do inspections. This will be determined by the Superintendent of Public Works.

The crew brush hogged and weeded the flowerbeds on I86 on and off ramps, as it is now the Villages' responsibility.

Sent a letter to Rural Water Association thanking them for use of their equipment for the smoke testing.

Thanked the Cuba Police Dept. for helping with kids in park.

If anyone can contribute for the BAH on September 12, 2007 it would be appreciated.

Superintendent Hall is looking forward next month, as there are various projects that will begin. Sidewalk replacement will be completed. We will also get under motion with the drain line on Hardy Street as well as the drain line on Spring Street Hill. Our other tree work will begin this week. The sewer line from Charlies to Hardy St. will be replaced.

CLERK/TREASURERS REPORT: Clerk /Treasurer asked the Board for an amendment to the 2007-2008 budget for receiving the \$90,000. for the N. Branch Project. This would increase the revenue acct. A1000-5720 and increase the A5110-47 streets improvement account by \$90,000.00. **A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE DAVID SWEETEN TO MAKE THE AMENDMENTS TO THE REVENUE AND EXPENDITURE ACCOUNT FOR THE \$90,000. SIB RECEIVED. THIS WAS APPROVED.**

Ms. Wilson asked if anyone had questions on the investment register, which she gave each of the copy. There were no questions or comments.

Clerk Wilson informed the Board of the activities this past month over the normal day-to-day activities.

The fire dept. expenses for year-end May 31, 2007 were sent to the Town of Cuba for their 2008 budget as they pay half of these expenses.

Sent a member grant for \$6,800. For the I & I engineering feels in for reimbursement.

Sent the tree grant in the amount of \$2,500. and after a change to Schedule A all is complete and we should be receiving these funds soon.

Been busy taking in taxes and water/sewer bills.

Working on year-end reconciliations to get ready for accountants to be here in September.

Ms. Wilson filled in for Ruthanne Hardman at the pool for the last two days of the recreation program and she recommends that if the Board members are able too, they should watch this program. They would be amazed on what the kids participating learn and get to know the lifeguards we have hired, they are wonderful kids and Ms. Hardman does a great job. This program is well worth the money the Village puts into it.

COMMITTEE REPORTS: Trustee Zayac commented that she and Trustee Shelley met with the Village crew on Friday. A lot came out of it. The crew requested to meet with the Board as a whole at their convenience. Trustee Zayac feels that this is an employer/employee meeting and is not open to the public; therefore they set tentative dates of August 29th or August 30th at 7:00 pm. They Village crew will be notified and a date will be set.

Trustee Shelley asked if the Board is ready to adopt the Employee Handbook as revised? **A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE JUDITH ZAYAC AND WAS APPROVED TO ADOPTED THE REVISED EMPLOYEE HANDBOOK.**

MAYORS REPORT: Mayor Taylor informed the Board that on July 30th he signed and sent the Empire State Development Grant Disbursement Agreement between the

Village and Empire State Development for the Restore NY Grant for the Palmer Opera House.

Mayor Taylor stated that he signed and mailed the form to the NYS Environmental Facilities Corp. to be put on new project listing for our I & I project.

Jose Mazon has agreed to sell his web site to the Village and Town of Cuba for \$500.00, which would be \$250.00 each. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE DAVID SWEETEN TO BUY THE WEB SITE FOR VILLAGE SHARE OF \$250.00.**

Mayor Taylor also informed the Board that he observed both the park and pool program and what a wonderful job these employees do and the program is well attended.

Trustee Shelley wanted to know if we were going to go for the Small Cities Grant for the I & I project? Mayor Taylor said that it does not have to be done until next year. He will get this clarified with JC Smith when he sees him on September 26th.

Trustee Shelley asked if anymore has been heard about the "Walk the Village Program"? The Mayor did hear from Senator Young and this is mostly done in northern New York State right now. But suggest maybe forming a program on our own involving Allegany and Cattaraugus Counties. The Chamber would do this if they were interested. The Mayor will talk to the Chamber on this.

OLD BUSINESS: Trustee Doyle wanted to let the Board and the Superintendent of Public Works know that he appreciated the tree planting that has been done.

NEW BUSINESS: The Clerk/Treasurer informed the Board that she had heard from the Town of Cuba Supervisor on the recently purchased property on Water St. (Route 446) parcel number 166.18-1-943 and parcel number 166.18-1-943.1. She was asking to exempt them from paying the Village taxes on these parcels, as they are exempt. Don Donovan assessor stated that these two parcels are now tax-exempt, but it wasn't done in the time frame that the Village taxes were printed. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED TO EXEMPT THE TOWN OF CUBA FROM PAYING VILLAGE TAXES ON THE ABOVE TWO PARCELS.** It was noted that these should be paid by the County and after this year will be listed exempt.

Trustee Doyle informed the Board Round 2 of Restore New York's Communities Initiative would be applied for as of July 27th. This program was created to help revitalize urban centers, induce commercial reinvestment and improve housing stock. Cities, towns and villages can access the funding to demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties. The program places a strong emphasis on projects from economically distressed communities. The allotment has doubled from last year. Trustee Doyle is asking the Board to send a letter of intent to apply for this funding. This has to be in to them by August 20, 2007. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JOHN SHELLEY TO SEND THE LETTER OF INTENT TO APPLY FOR THE RESTORE NY INITIATIVE FUNDING. THIS WAS APPROVED.**

WITH NO FURTHER BUSINESS TO DISCUSS, A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE MICHAEL DOYLE TO ADJOURN THIS MONTHLY BOARD MEETING.

TIME: 8:24 PM

**RESPECTFULLY SUBMITTED
D. WILSON**