

The Cuba Village monthly Board Meeting was held on Monday, June 11, 2007 at 7:00 pm in the Cuba Village Hall, 17 E. Main St.

**PRESENT:** Mayor Thomas Taylor, Trustees Judith Zayac, David Sweeten and Michael Doyle. Trustee Shelley absent due to surgery. Superintendent of Public Works Richard Hall and Clerk/Treasurer Diane Wilson.

**ALSO PRESENT:** Carol and Don Donovan, Fire Chief Derek Clement, Police Chief Gary Fries and Richard Klein, CEO/Bldg. Insp.

**THE MAYOR OPENED THE MEETING WITH THE PLEDGE OF ALLEGIANCE.**

**GUESTS:** Don Donovan updated everyone on the Palmer Opera House. An architect has been hired for the front three entrances. She took pictures. A member item grant has been received by Senator Catherine Young that will pay this part of work. A public hearing was held on June 5, 2007 by the state at the Cuba Town Hall concerning the Restore NY Grant. There are still several other steps before the grant is totally confirmed. Lisa Robinson is doing a rendering of the upstairs. It was also noted that there are a number of grants for restoring theaters. Carol thanked the Board for their continued support. An information session is being considered to inform the public that the process is on going at the opera house even though it cannot be seen. Just want them to know that things are happening.

**MINUTES:** Clerk Wilson copied the Board on the minutes of the monthly Board meeting on 5-14-07. **WITH NO AMENDMENTS A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE DAVID SWEETEN TO APPROVE THE MINUTES OF 5-14-07.**

Clerk Wilson also copied the Board of the minutes of the Special Board Meeting on 5-24-07. One item was missing from page two the first motion. It should be added that the pricing was County pricing. **A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE DAVID SWEETEN TO APPROVE THE MINUTES WITH THE ADDITION TO THE MOTION ON THE SECOND PAGE.**

**BILLS:** Clerk/Treasurer Wilson copied the Board on the Abstract of Vouchers for 2006-2007 numbers 759-798 in the amount of \$44,221.63 with the breakdown as follows:

GENERAL FUND	\$26,528.30
WATER FUND	3,530.54
SEWER FUND	13,465.29
CAPITAL FUND	697.50

Also the Board was copied on the 2007-2008 bills voucher numbers 1-36 in the amount of \$98,925.10 with the breakdown of:

GENERAL FUND	\$51,798.17
WATER FUND	9,457.65
SEWER FUND	23,669.28
CAPITAL SIDEWALKS	14,000.00

**A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE MICHAEL DOYLE AND PASSED TO PAY BOTH CURRENT AND PRIOR BILLS.**

Clerk also had a bill from Stuart Brown Associates in the amount of \$2,237.50 and needed permission to pay this.

**A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY JUDITH ZAYAC AND PASSED TO PAY THIS BILL.**

**POLICE REPORT:** Chief Fries reported that 10 uniform traffic tickets were issued in the Village. One motor vehicle accident. There were 231 calls to service in Cuba and 22 various cases investigated.

Chief Fries also reported that he has been going around to the businesses and residents of Main Street and reminded them of the two-hour parking limit on Main Street.

Trustee Doyle wanted to know if he had many complaints at the Elm Street Academy? The Chief stated that he had complaints of the students smoking on private properties near the school and he asked if the Mayor could contact the academy on this? The Mayor said he would. As far as calls to the school, there hasn't been as many as the previous year.

Mayor Taylor stated that it seems dog owners are not abiding by the pooper-scooper law and asked if the police could do anything? Chief Fries suggested putting up signs around the Village reminding people of this. A complaint was received on the Methodist Church property and the Clerk will get hold of the Animal Control officer. Chief Fries stated that the skate park is working out well. He handed out 50 all sport helmets on the opening day of the park and will be handing out about 50 more in July.

**CUBA FIRE DEPT. REPORT:** Chief Clement reported that Asst. Chief Randy Snyder and Asst. Chief Kevin Nutt attended the Harrisburg, PA Fire Expo to look at new firefighting equipment and purchased a new roof vent saw and a new positive pressure fan.

The annual hose testing has been completed, this is required each year. They had 8, 50 foot lengths of 2 ½" hose fail and need to be replaced. All trucks have been serviced and inspected. Repairs were made to those that needed it.

Dairy Week 2007 seemed to go well other than the soaking rainstorm on Friday and they should have raised about as much as last year.

The department responded to 13 calls this past month.

Mayor Taylor noted that a fire truck committee meeting would be held on Thursday, June 14, 2007 at 7:00 pm in the fire hall.

**BUILDING INSP./CEO:** Mr. Klein reported that the addition at the Cheese Shoppe is progressing. There is a dental clinic being built on Center Street by Cummins Construction. The Rinker Oil project has not started as yet, because Cummins Construction has another project that will need to be finished first. Giant Food Marts addition is completed and their grand opening was held this weekend. Mr. Klein has two final inspections there. He has been working with the fire department and their reporting any fire or other the respond to concerning code enforcement. Mr. Klein reported that the Board has asked him to look at several properties that may have code violations and they are as follows:

17 Medbury Hts. owner Jean Kuhn  
14 Chapel St. owner Richard & Jennifer Hunt  
6 Maple St. owner Colleen Sheahan estate  
6 Elm St. owner Vincent Wiltsey  
The VanGilder property on Maple St.

There are steps to follow on these properties. Two of the properties VanGilder and Sheahan are now in estate and therefore we will wait on these. The Wiltsey property may be sold to a neighbor and they will take care of that, so this will also be on hold. The proper steps will be taken on the other according to law.

**SUPERINTENDENT OF PUBLIC WORKS:** Mr. Hall reported that along with the normal day-to-day operations the following was done this past month:

1. Repaired one water leak
2. Got the Village ready for Dairy Week (striped streets, hosed walks and mulch around trees)
3. N. Branch Rd.-the weep was installed. Now ready for gravel then can be paved. Thank you in advance for the Town of Cuba's' help.
4. Sweeping streets on Friday
5. Prospect St. Bridge is down and thanks to the Railroad for their assistants and cooperation along with the Police Dept.
6. Tree planting complete, 11 trees planted and thanks to the Cuba Fire Dept. for a truck to water trees.
7. Drain on Medbury and Union completed. Lawn work and grate across Medbury Apts. driveway yet to do.
8. I&I smoke testing is underway. There was a 6-22-07 report deadline, which SPW did not know about. The testing will have to continue at later time and will not be completed in time for this report.
9. Read water meters
10. Working on patching potholes
11. Four new litter baskets placed on poles downtown.
12. Crew is doing a great job. Welcome Ken Quinn II to the crew. Able to get much more done since he came on board.

Mr. Hall also stated that he is looking forward in the coming month to various projects that will begin. The N. Branch Rd. will be done by the end of June. Sidewalk replacement will begin. Will be able to get under motion with the drain on Hardy Street. Lawn repair from previous work sites will also be amongst our priorities.

**CLERK-TREASURER:** Clerk Wilson reported that water shutoff notices for the April 2007 quarterly billing for delinquent bills have been sent with last day to pay 6-18-07. There were many more notices sent this month than in the past. Also taxes have been received and mailed on time, even though Allegany County Real Property Tax Dept. had some difficulties preparing them, due to a water leak. Taxes were in the amount of \$519,668.33 and water/sewer liens in the amount of \$4,673.03. Two park use applications were received and asking for variances. First one is from Marcia McIntosh who would like to use Genesee Park for a lawn sale on July 5,6,7, 2007 from 8-5. **A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE MICHAEL DOYLE AND PASSED TO ALLOW THIS LAWN SALE ON THE ABOVE DATE.**

The second application was received from Sargent Transportation Lines for a company picnic at Willowbank Park. They are asking the Board to lift the open container law for the park during their picnic on 8-18-07 from 11am to 8pm. They asked for this last year and there were no problems. **A MOTION WAS MADE BY TRUSTEE MICHEAL DOYLE AND SECONDED BY DAVID SWEETEN TO LIFT THE OPEN CONTAINER LAW FOR SARGENTS TRANSPORTATION ON THE ABOVE DATES AND TIME AT WILLOWBANK PARK.**

A Bonding Resolution was received fro Attorney Cappellini for N. Branch Road. The entirety of the resolution will be attached to these minutes. The resolution authorizes the Mayor to borrow for the paving of the North Branch Road in the Village at a maximum cost of One Hundred Twenty Thousand and no/100 Dollars (\$120,000.) and provided that all of the One Hundred Twenty Thousand and no/100 Dollars (\$120,000.) cost of such paving of the North Branch Road in the Village is to be paid from the proceeds of obligations issued pursuant to the Local Finance Law. **A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JUDITH ZAYAC AND PASSED TO AUTHORIZE THE MAYOR TO BORROW FOR THE N. BRANCH ROAD NOT TO EXCEED \$120,000.**

The Clerk noted that after this resolution was sent to the Village Attorney to be drawn up the cost of the N. Branch Road had decreased and it is estimated that the Village will only have to borrow \$90,000.

**COMMITTEE REPORTS:** Trustee Doyle informed the Board that he has sent a pre-application for an ARC Grant to help fund the Village and Town of Cuba Comprehensive Economic Development Planning Project. A copy of this application is on file in this office.

Mayor Taylor stated that the Employee Handbook updates have been tabled until Trustee Shelley can attend a meeting to work on this further as the employees have some questions and thoughts.

**MAYORS REPORT:** Mayor Taylor reported that he had two prints of Cuba blown up and framed and they are hanging in the Board Room.

A letter was received from Pastor and Barb Kester of Maple St. in the Village. They wanted to let the Board know that they feel Rick and the Village crew is doing an excellent job. They are professional and go out of their way to serve the community.

Mayor Taylor told the Board he call Dan Spitzer counsel for the hospital and asked that he work with the Village Attorney John Cappellini on creating a fair user fee law.

Sue Worst, President of the PTA contacted the Mayor about holding a volunteer cleanup day in the Village and this has been slated for 6-19-07 at 1:00 pm.

**OLD BUSINESS:** The Mayor read a timeline concerning the Prospect Street Bridge it is as follows:

- 1-8-07 Village Board recommended to the SPW to close the bridge.
- 2-12-07 Village Board hired Clark Patterson to complete an engineering report on the bridge.
- 3-19 & 20 Clark Patterson's bridge engineers inspected the bridge and a report will follow.

- 3-20-07.1 A letter was received from Travelers Ins. To Lawrence Dye, Inc. stating that they had received the 25 photos of the bridge and that it shows "quite a bit of rot" and should be closed until it could be inspected by a professional engineer.
- 4-16-07 NYS Senator Catherine Young obtained a member initiative funding in the amount of \$10,000. for capital renovations to the pedestrian footbridge on Prospect St.
- 4-27-07 Mayor Taylor mailed a copy of the "Inspection Report for the Prospect Street Pedestrian Bridge" to William Burt, CEO WNY & Pennsylvania Railroad.
- 5-11-07 Mayor Taylor met with Michael Conner, Vice President of Operations and Maintenance of the WNY & Pennsylvania Railroad. Mr. Conners feels that the bridge could cause a derailment and must come down. He said that the railroad would assist the Village with manpower and equipment to demolish the bridge and would cooperate with the Village in it's application for Federal TEA-LU funding, a letter to follow.
- 5-14-07 The Village Board discussed the railroads proposal and was cautious on the ownership responsibility. There was no action taken.
- 5-25-07 Mayor Taylor discussed the new Village insurance coverage with Dennis Dye of Dye Insurance. Dennis informed the Mayor that the Prospect St. Bridge would not covered under liability insurance after 5-31-07.
- 5-31-07 The Village DPW commenced at 4:00 am and was joined at 6:00 am by the WNY & Pennsylvania railroad maintenance crew. The bridge was down and the track cleared by 10:30 am. A train arrived with no delay at 2:45 pm.
- 6-1-07 The railroad and the Village cleaned the bank and timber.

The Mayor thanks the railroad for their cooperation and assistance with taking the bridge down.

**NEW BUSINESS:** Mayor Taylor reported that a letter had been received from Larry and Rev. Sonya Mauser of 70 Spring St. asking the Village if they could purchase the Village property located at the corner of Hill and Spring Sts. Parcel # 166.20-1-18.2 across from their property. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JUDITH ZAYAC TO ALLOW THE MAUSERS TO PURCHASE THIS PROPERTY FOR \$100.00 PLUS ANY TRANSFER FEES, INCLUDING ATTORNEY FEES.** A letter will be sent to them. Also it was noted that this property was put up for sale in 2006 with no response.

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

**TIME: 8:30 PM**

**RESPECTFULLY SUBMITTED  
D. WILSON**