

UNAPPROVED

The Village of Cuba monthly Board meeting was held on Monday, October 8, 2007 at 7:00 pm in the Cuba Village Hall.

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

ALSO PRESENT: Don Donovan, Lloyd Lewis, WWTP Operator, Derek Clement, Fire Chief and Alan Zayac.

THE MAYOR OPENED THIS MEETING WITH THE PLEDGE OF ALLEGIANCE AND WELCOMED EVERYONE ATTENDING.

GUESTS: Alan Zayac wanted to bring to the Boards attention an ongoing situation at 17 Bristol St. He stated that for the past 8+ years the neighborhood has tolerated constant demolition, construction, burning, excavating, cutting of trees and operation of a portable saw mill and most recently construction on a "pole barn" type of structure. Mr. Zayac thought we had a code in the Village and wonders were this fits in. Mayor Taylor at a ZBA meeting this was discussed and he believes that Mr. Bean said the he would have the saw mill gone in 30 days from the date of the ZBA meeting, which was Sept. 25, 2007. Mayor Taylor asked if he was still using the saw? Mr. Zayac said yes. Trustee Zayac wanted to know if the structure itself was up to code, it is a pole structure? Mr. Klein stated that pole barns are put up everyday and he has gone over with Mr. Bean the codes he has to meet. Trustee Zayac wanted to know if he had a permit and a drawing? Mr. Klein said that he did not when he started, but does now and he only has to submit a sketch with the details need such as measurements. She would like a copy of this sketch. Mr. Klein will get one to her. Mr. Bean has one year to complete, every permit has a year and he can renew it in a year if need be. More discussion took place on this subject. Questions were asked about the siding and Mr. Klein stated that this is the option of the owner. Both Mr. & Mrs. Zayac feel that some of the people involved have a responsibility to the neighbors and they have not met with these properly.

Mayor Taylor said that he received a letter from Nico and Joan Van Zwanenberg on some concerns with some negative things that occur in Cuba to damage the progress produced here. One of these is the continual flea market at 40 South St. He feels that this is not a garage sale as there are literally thousands of items. Also a concern is the illegal parking on South St. during this time, which does not concern the police.

Another complaint is the front and back of 25 Genesee St.

And the last complaint is the slate sidewalk in front of 25-29 E. Main St. Mr. Van Zwanenberg states that this is a wonderful community and a privilege to

live here the past 66 years. The Village Boards as well as Village maintenance crews have contributed mightily to the Village. Trustee Zayac said that she has heard complaints about 25 Genesee St. and wonder what the board could do about it? Mayor asked Mr. Klein to address the South St. "flea Market". There is nothing in the code to state that you cannot have a yard sale and checked about the sales tax issues of this. But could not find anything. For 25 Genesee St. Mr. Klein has asked that the garage/lawn sale be up for two days and then cleaned up. The person said that he would, even though it lasted a couple days longer. As far as the lady sitting on her porch at all hours we have no right to ask her not to. More discussion took place and it was decided that the owner of the property would be approached on this. The Mayor asked Mr. Klein to talk to the property owner Stewart Freeman on this. Mr. Klein stated that there is a proper route to follow with this and that is the route he will follow. Mayor feels that maybe a committee should look at a law concerning garage sales. Trustee Zayac feels that this should be approached differently and it would save money and time and approached people individually. Trustee Doyle states that there would be no leverage doing it that way. Trustee Sweeten that the parking on South St. illegally should be taken care of by the police and maybe this would help. Mayor Taylor said the third complaint was the slate sidewalks in front of 25-29 E. Main St. Mr. Klein stated that the law said that these walks are legal. Trustee Zayac said that she would like to have Mr. Klein respond to Mr. & Mrs. Van Zwanenberg's letter and copy the Board. This will be taken to committee.

MINUTES: The Clerk copied the Board on the minutes of 9-10-07. With corrections or additions a **MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO APPROVE THE MINUTES OF 9-10-07.**

BILLS: Clerk/Treasurer Wilson copied the Board on the Abstract of Vouchers 241-299 in the amount of \$120,374.93 with the breakdown as follows:

GENERAL FUND	\$63,319.74
WATER FUND	\$14,159.15
SEWER FUND	\$42,896.04

Ms. Wilson pointed out to the Board that the second quarter library contract payment was made. The fire truck principal and interest payment at Five Star Bank was made and that the revolving loan payment is due in December. The final year for both is 2008. Also the interest on the water tank to Rural Development was made along with the principal and interest payment of the sewer treatment plant. **A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE DAVID SWEETEN TO PAY THE MONTHLY BILLS. THIS WAS APPROVED UNANIMOUSLY.**

At this time the Fire Chief, Derek Clement presented four bills to be paid this month, as he did not get them turned in on time. They are as follows:

The Hite Company	electric connectors \$ 331.70
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Susquehanna Fire Equip. repair	\$ 25.50
Saia Communications new pagers, etc.	\$1,802.96
Ganoung's Fire Protection extinguisher maint.	\$ 140.00

A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO PAY THE ADDITIONAL BILLS FROM THE FIRE DEPARTMENT.

POLICE REPORT: none

FIRE DEPT. REPORT: Chief D. Clement reported that the annual tri-county fire training at Cuba's town on Sept. 30th was a success. Although participation was down it was still good training.

The department attended a fire expo in Hamburg last month to look at new fire trucks. They were able to talk to truck vendors and look at various configurations of trucks at the show. This was good information and ideas for new fire truck.

Sent C-3 (pumper) out on Oct. 8 for regular routine fluids service as well as an inspection. Is now back in service.

Cuba 7 (tanker) was called out of service on 10-7 when it was found that there were problems with the battery terminals. The batteries were in need of replacement. Two new batteries, battery cables and terminal ends were replaced and the truck is back in service.

The truck committee is meeting with vendors to see all the different configurations of trucks. With all this information the committee will then draw up a set of truck specifications to put out for bid.

The department responded to 12 incidents in September.

BUILDING INSP./CEO: Mr. Klein reported that the dental clinic on Center Street is completed and has had his first patient.

Cheese Shoppe is nearing completion. Structure is complete. Door, steps, etc are being worked on. Electric is almost complete. Will be able to sign off soon.

Rinker Oil project is moving along very well. Building structure is nearly complete. Underground fuel piping natural gas were installed today. Electrical conduit for the fuel storage and distribution system are nearly complete today. Inspected the conduits, they need to be sealed and covered in pea gravel in the next couple of days.

Depot building has been disassembled by a group lead by Mike Doyle and Paul Switalski of the Cuba Friends of Architecture and this building is being moved to the Block Barn property. This area of where the depot was will be graded and black topped.

Permits were issued and in process:

1. First Class siding for a roof job at the Baptist Church Parsonage.
2. Frank Kelley roofed at E. Main St.
3. T & C Bean 17 Bristol St.-garage
4. John Zimmerman-propane sale set up
5. John Chisholm-asking for a zoning variance
6. Richard Klein-porch steps and guardrail
7. Keith Jackson-demolition of single dwelling on Champlain Ave.
8. Cuba Friends to demo dept building
9. Heidi Reed on behalf of hospital to construct a display residential building. He will discuss this with the Town of Cuba.
10. Dr. Gulati renovates existing building on W. Main St.
11. Mr. Wagner on Orchard St. has garage framed and expected to pour concrete this week.

Trustee Zayac asked if there were any safety requirements to the propane tank at Zims. Mr. Klein stated that Mr. Zimmerman meets the requirements. Chief Clement wanted to know if it met codes with the tank being under a canopy connected to a structure a fire hazard? Mr. Klein stated that all the details were taken from the NYS Fire Code. Mayor Taylor asked if Mr. Klein would like to comment on the complaints from Lisa Worthington-Pederson from the last board meeting. He commented to the Board on this. Mr. Klein reported that he has a file on all of this and other issues with Ms. Pederson and the Board is welcome to see it. Trustee Zayac asked if he responded to Lisa on her complaints and Mr. Klein stated that he would not respond to her.

WASTEWATER TREATMENT PLANT OPERATOR: Mr. Lewis reported on accomplishments in September. He had assistance from the Village crew to fix a leak between the primary pump station and the trickling filter have a leak there for a couple years and have not had time to fix it. He explained this to the Board and what was done. Issue you with the intermediate clarifier, which is the smaller one the drive unit is gone have another one ready to replace it and would need the assistance from the crew to replace it. Had to order a replacement motor for the #2 clarifier. Got a cost of \$495.00 from Grainger and called KJ Electric and got one for a \$125.00. Connectors had to be replaced and power distribution centers will be rebuilt. Due to this there has been some non-compliance issues with the permit and now there is enough output in the UV Systems and tests have come back good. Received the shingles to do some work on the roof as time permits. The final clarifier is showing wear and it will be fairly pricey to replace. There will be some assistance from the Village Crew on Wednesdays with this person possible preparing to get his license.

SUPERINTENDENT OF PUBLIC WORKS: Superintendent Hall reported the following:

1. Finished sidewalks-2071 sq. ft. at a cost of \$8,706.10.
2. Replaced sewer main Charlie's Chicken to Auto Car Wash.
3. Delivered & picked up picnic table for Garlic Fest.

4. Painting front of Clerk's office.
5. New skate park equipment installed thanks to Jay Morris.
6. Tree removal per Tree Board is done for 2007 and gators removed per Tree Board.
7. About 6 catch basins left to clean.
8. Law repairs-top soil, seeded and hay from tree removal done.
9. Repaired sewer lateral on Maple St. (roots).
10. New water service and disconnected old service at Rinkers.
11. Replaced sluice pipe behind 57-59 Spring St. as well as the pipe going under the RR Bridge on Spring.
12. Repaired water leak at 120 South St./lateral leak.
13. New water shutoffs 6 Stevens Ave. & 2 Champlain.
14. Two random drug/alcohol testing and 1 pre-employment.
15. New gazebo roof done thanks to Mr. Johnson's "residential structures class" and they did an awesome job. Thanks to Tim Resch for supplying the scaffolding.
16. The B.A.H. seemed to be a success.
17. Plus all of the normal monthly routine.
18. Thanks to the Baptist Church for the community day work done. They painted the Little League bathrooms.

LOOKING FORWARD IN THE COMING MONTH:

Leaf pickup will begin. Finish cleaning out the last of the catch basins. Repair catch basins and install one basin on the corner of Hardy & Maple. Replace more water shutoffs. Cut wood for winter heat and start to get equipment ready for sow. Water and sewer line installation on Spring St. Hill for new residence.

Mayor Taylor thanked Rick for all his work on the business after hours get together; it was a lot of work.

CLERK/TREASURER REPORT: Clerk Wilson reported that the water/sewer bills were mailed out on 10-3-07, water amount \$40,000. and sewer \$45,000.

The monthly Board meeting in November falls on the Veterans Day holiday and the Clerk asked to have the meeting changed. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE DAVID SWEETEN TO CHANGE THE MONTHLY BOARD MEETING IN NOVEMBER TO WEDNESDAY, NOVEMBER 14, 2007 AT 7:00 PM. ALL APPROVED**

The May 31, 2007 Annual Update Document is done and sent to the comptroller. At this time Clerk/Treasurer asked to hold a finance committee meeting to go over this document. A meeting has been scheduled for Friday, October 12th at 9:00 am.

A reminder that the final day to collect Village taxes is October 31st. Clerk Wilson will e-mail the Board to stop in Nov. 1 or 2 to sign the taxes to return to the County as the Deputy Clerk has to have them to the County by Nov. 5th. Sidewalk invoices have been sent to all who walks done this year.

Received \$1,020.00 from the Division for Youth for the 2006 Summer Recreation Program and submitted for the 2007 program.

COMMITTEE REPORTS: Trustee Doyle explained the following resolution to the Board. This is to create a pathway for the funds to flow from the Restore NY Grant. The following resolution was presented to the Board:

WHEREAS, the Village of Cuba has been awarded a Restore NY Grant in the amount of \$523,683. from Empire State Development Corporation,

WHEREAS, the Village of Cuba upon receipt of this grant funding amount to be used for the Palmer Block, currently owned by the Cuba Friends of Architecture as applied for in the grant application,

THEREFORE, the Village of Cuba upon receiving the grant disbursement of \$523,683. upon the completion of the project known as the Palmer Block will release these monies to the Cuba Friends of Architecture who is restoring this block.

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED WITH THE FOLLOWING VOTE:

Trustee Judith Zayac Aye
Trustee John Shelley Aye
Trustee David Sweeten Aye
Trustee Michael Doyle Aye
Mayor Thomas Taylor Aye

MAYORS REPORT: Mayor Taylor asked the Board for a motion to hold a Public Hearing on November 14, 2007 at 7:00 pm for a possible sewer increase. **A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED TO HOLD A PUBLIC HEARING ON 11-14-07 AT 7:00 PM ON A POSSIBLE SEWER INCREASE.**

MAYOR TAYLOR DESIGNATED WEDNESDAY, OCTOBER 31, 2007 FROM 6:00 PM TO 8:00 PM AS THE DAY TO CELEBRATE HALLOWEEN. TRICK OR TREATERS ARE TO ONLY GO TO HOMES WITH LIGHTS ON.

OLD BUSINESS: none

NEW BUSINESS: Trustee Shelley asked if now is the time to put the winter issues in the paper? Clerk Wilson stated that she sent a letter to the editor on the winter parking restrictions and snow/ice removal. She will also post this in the window at the Village Hall.

AT THIS TIME THE MAYOR ASKED FOR A MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES. A MOTION WAS MADE BY

TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE JUDITH ZAYAC AND
PASSED TO GO INTO EXECUTIVE SESSION.

TIME: 8:10 PM

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY
DAVID SWEETEN TO COME OUT OF EXECUTIVE SESSION AND ADJOURN
THIS MEETING.

TIME: 9:00 PM

RESPECTFULLY SUBMITTED
D. WILSON