

## UNAPPROVED

The Village of Cuba held the monthly Board Meeting on Monday, March 10, 2008 at 7:00 pm. Also held was a Public Informational Meeting on the Wastewater Treatment Upgrades and Community Development Block Grant Funds and a Public Hearing on Local Law #1, 2008 Providing for the Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code. These meetings were held in the Cuba Village Hall, 17 E. Main St.

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

**ALSO PRESENT:** Richard Klein, Bldg. Insp./CEO, Lloyd Lewis, WWTP Operator, J.C. Smith, Environmental Project Manager from NYS Environmental Facilities Corp., Tom Swift, engineer Clark Patterson, Don Donovan and Derek Clement, Fire Chief.

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

**THE MAYOR OPENED THE PUBLIC HEARING ON LOCAL LAW #1, 2008. PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NYS UNIFORM PREVENTION AND BUILDING CODE.** Mayor Taylor read that the purpose and intent of this local law provides for the administration and enforcement of the New York State Uniform Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Village. This local law replaces Chapter 105 of the Village Code. The Public Hearing will remain open for any comments and questions.

**GUESTS:** J.C. Smith stated that the intent of this public information meeting is to present current information about proposed improvements to the Village's wastewater treatment plant and plans to apply for a Community Development Block Grant in the amount of \$600,000. from the NYS Office for Small Cities. If awarded, the grant would be used towards the cost of the proposed treatment plant and collection system improvements. It is important to get participation and comment by residents and property owners in the Village of Cuba are important to the proper consideration and advancement of an application to this program. Mr. Smith stated that it would also be good to get comments from local community leaders, businesses on what it would do to them to have a hefty sewer increase. The Village also needs to state where they will get funding if the Village does not get approval for a grant. Tom Swift gave a summary of prioritizing projects. There are about four priorities and he talked about all of them. A little more discussion and information was given. The Mayor thanked them both for their attendance.

**MINUTES:** The Clerk copied the Board on the minutes of the 2-11-08 Village Board Meeting. **WITH NO CORRECTIONS TO THE MINUTES A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE MICHAEL DOYLE AND PASSED TO APPROVE THE MINUTES OF 2-11-08.**

**BILLS:** Ms. Wilson copied the Board on the Abstract of Vouchers 575-632 totaling \$63,783.29 with the breakdown as follows:

GENERAL FUND	\$40,923.32
WATER FUND	\$10,008.33
SEWER FUND	\$12,851.54

**WITH NO QUESTIONS OR COMMENTS ON THE MONTHLY BILLS AND MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE JOHN SHELLEY TO PAY THE MONTHLY BILLS TOTALING \$63,783.29. THIS WAS PASSED UNANIMOUSLY.**

**POLICE REPORT:** none

**FIRE DEPT. REPORT:** Chief Clement reported that the truck committee is meeting tonight to finish up any last changes to the final truck specs. They found some problems with the specs. They expect to get the resolved and the truck will go out to bid within the next few weeks.

The Chief has ordered 10 new sets of OSHA mandated turnout gear to outfit new members, as well as replace dome of the older worn out gear. Four sets were purchased by the Village and the Fire Dept. purchased six sets. The cost is \$1,459.76 per set.

They have approximately 10-12 persons attending a seminar on Thursday in Salamanca on initial scene operations. This course is put on by the NYS Association of Fire Chiefs.

A pumper and crew will be supplied to Friendship on March 29<sup>th</sup> from 6:00-9:30 pm to cover their district for calls during their annual dinner.

The annual inspections of air packs were completed last month by Churchville Fire Equipment. All packs passed air flow testing and were all reported to be in excellent condition.

The TNT Extrication tools (Jaws of Life), also received their annual inspection last month. All pieces were service and were in excellent condition with the exception of the cutters. The cutters had a rolled cutting edge and the cutting blades had to be replaced.

The department responded to 16 calls in February.

Chief Clement gave a letter to the Board on the pump problems with Cuba 3. The letter contents tell about everything that has been done find out the problems with this pumper. After analyzing this after several things done from a new impeller in the pump, replacement of gears and shift forks in the pump gearbox and the last was the realignment of the drive shaft input going into the front pump as recommended by international and Hale, it has been found that

the driveline is severely out of configuration. Close to \$50,000. has been spent to resolve the problem. Hale is referring the department to the manufacturer of the driveline to remedy the problem. Trustee Sweeten wanted to know if Hale was going to reimburse the department for the cost of resolving this problem and possible fixes? Chief Clement did not know, but Trustee Sweeten feels that this should be pursued.

Chief Clement read a letter from Cuba Fire Department Secretary Richard Seigel asking for the lifting of the open container law for Firemen's Park for Dairy Week June 4<sup>th</sup> through the 7<sup>th</sup>. Also he stated that the parade would be on Saturday June 7<sup>th</sup>, 2008 at 5:00 pm. He also asked if the open container law could be lifted at the park for a Demo Derby on May 24<sup>th</sup>, 2008 starting at 2:00 pm. **A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE MICHAEL DOYLE TO LIFT THE OPEN CONTAINER LAW FOR FIREMENS PARK ON JUNE 4<sup>TH</sup>-7<sup>TH</sup>, 2008 AND MAY 24<sup>TH</sup>, 2008. THIS WAS APPROVED.**

**BUILDING INSPECTOR/CEO:** Mr. Klein reported that he had six applications to go before the Planning Board on the 17<sup>th</sup>.

1. ZA07546 Mark Rinker for Cummins Construction to build a funeral home on Bull St.
2. ZA07547 Cummins Construction to build a warehouse on Center St.
3. ZA07548 Jeff Bradley, Cuba Cheese Shoppe for an expansion to accommodate mail order and retail business at 53 Genesee St,
4. ZA07549 Geri Rapino have purchased the vacant building at 17 W. Main St. and plan to set up a bakery, using equipment they already own. The son, wife and two children plan on making a living quarters upstairs.
5. ZA07550 John Dean is doing work on his house at 23 Genesee Street, in a historic district and requires a certificate of appropriateness from the Planning Board.
6. ZA07551 Mike Jefferies plan an addition to his body shop at 28 Water St.

John Miller, owner-operator of JTs Deli at 2 W. Main St. is working with Mr. Dibble to rent the vacant side of the building he occupies. Planning Board does not require approval. Just have to make sure there are adequate rear exits and the number of seating allowed.

**WASTEWATER PLANT REPORT:** Mr. Lewis reported that on February 4<sup>th</sup> installed with the village crews help a rebuilt motor for the #2 primary pump. On February 5<sup>th</sup> wired and back in service. February 6<sup>th</sup> due to high water a partial bypass was done at 8:00 am and all parties notified by 8:10 am. On February 7<sup>th</sup> back in service by 6:00 am and all parties notified. On February 9<sup>th</sup> the high water alarm went off twice couldn't see any reason why. After investigation it was found that the float switches became entangled and triggered the alarms. On February 25<sup>th</sup>

the new motor was received. On February 25<sup>th</sup> the A bank on the UV System went, a termination board has been ordered but not yet received. On February 27<sup>th</sup> a new impeller had to be put in the primary pump station. Mr. Lewis stated that he has been very busy.

**SUPERINTENDENT OF PUBLIC WORKS:** Mr. Hall reported the following:

1. Plowed and sanded often.
2. Hauled snow from Main Street and other locations.
3. Cleaned off catch basins.
4. Keeping up with repairs to snow plow equipment.
5. Picked up brush and steel goods.
6. Repaired chlorination pump in well house.
7. New sampling requirement from D.O.H.-Radium 228 that has to be done quarterly to be sent in at the end of the year, December.
8. Built paper ballot voting screen.
9. In the process of replacing water shut-off at 6 Willow St.
10. Reading water meters.
11. Cold patch various potholes.
12. Working on shop office.
13. Passed out "storm water survey" sheets while reading water meters.

Mr. Hall also reported on items he is looking forward to completing in the next month.

**CLERK-TREASURER REPORT:** Ms. Wilson reported that among the daily activities she and Ms. Butts do. They have sent out water shut off notices and there were less sent this time than in the past. The last day to pay is March 14<sup>th</sup>, 2008. The Superintendent will get a list of actual shut offs on Monday, March 17<sup>th</sup>. Received an Alternate Veterans Exemption from Gary & Barbara Pratt of 19 Grove St. for war active exemption. A reminder that the Village Elections will be held on Tuesday, March 18, 2008 from noon-9:00 pm in the Village Hall. Been working on the budget, the Village Board meet with department heads on March 6<sup>th</sup> and reviewed the General Fund portion of the working budget. The next working meeting will be March 13<sup>th</sup> at 6:00 pm.

**A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JUDITH ZAYAC AND PASSED TO HOLD THE 2008-09 BUDGET PUBLIC HEARING ON APRIL 14<sup>TH</sup>, 2008 AT 7:00 PM IN THE CUBA VILLAGE HALL. THE ORGANIZATIONAL MEETING WILL ALSO BE HELD THAT NIGHT.**

**COMMITTEE REPORTS:** Trustee Shelley informed the Board that the personnel committee has not met recently.

Trustee Shelley reported that a refuse meeting with Friendship in Friendship was held recently. At this meeting Supervisor Zacher updated everyone on the grant application for a new packer. Nothing has been done because evidently

no monies available through DEC or SMSI. Supervisor Zacher will contact Mary Chappell of Municipal Solutions formerly "Allardice" regarding Dept. of Health reimbursable grant application information and other grant possibilities. Trustee Shelley talked with Mr. Zacher and apparently there is no grant funding for packers. A guesstimate of the cost of a new packer would be \$141,766.73, Cuba's share would be 65% or approximately \$92,148.37 with selling the new packer for \$40,000. it would be \$66,148.37. Recyclable truck is in good shape. Both the Town Friendship and Village of Cuba will be reviewing their current laws regarding refuse pick up, so that they both can be the close to the same. Bobbie Cummins has talked to Crown-Y about them taking our recyclables. Nothing is definite at this point, will look into further. It was suggest that both Cuba and Friendship review the current agreement for possible revisions and updates. Another meeting in Friendship will be held March 27<sup>th</sup> at 1:00 pm. The Refuse Committee in Cuba will meet on the 27<sup>th</sup> at 10:00 am in the Village Hall prior to the meeting in Friendship.

There has been no Infrastructure meetings lately.

The Board asked the Code Enforcement Officer to continue Fire Safety Inspections in the Village.

**MAYORS REPORT:** At this time the following resolution was presented by the Mayor:

**RESOLUTION ADDRESSING STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)  
STATUS FOR PROPOSED IMPROVEMENTS TO THE VILLAGE OF CUBA  
MUNICIPAL WASTEWATER TREATMENT PLANT**

Resolution recognizing proposed improvements to the Village of Cuba Wastewater Treatment and Collection System to be Type 2 for SEQR purposes.

**WHEREAS**, the Village of Cuba administers the wastewater collection and treatment facilities serving the Village of Cuba, and

**WHEREAS**, the Village of Cuba has considered the collection sewers, manholes, pump stations, clarifiers, sludge management systems, the trickling filter, other appurtenances currently in use and necessary for proper operation of the wastewater collection and treatments system; and

**WHEREAS**, a project is proposed to renovate, upgrade or replace these various appurtenances; and

**WHEREAS**, this project is more fully described in an engineering report prepared by Clark, Patterson, Lee, a professional engineering consulting firm; and

**WHEREAS**, these improvements will correct significant issues related to efficient operation of the facility and compliance with the State Pollution Discharge Elimination System (SPDES) permit, issued to the Village by the New

York Department of Environmental Conservation for operation of the wastewater treatment plant; and

**WHEREAS**, the Village Board recognizes the need to complete SEQR proceedings for this project;

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF CUBA THAT**

1. The proposed replacement project is declared to be Type 2 action for State Environmental Quality Review Act purposes, and no further action will be required.
2. This resolution shall take effect immediately.
3. A certified copy of this resolution shall be forwarded to the NYS Department of Environmental Conservation's Regional Permit Administrator for confirmation of this as a Type 2 action.

**A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED RESOLUTION #1, 2008. THIS WAS PASSED UNANIMOUSLY.**

Mayor Taylor informed the Board that he received a letter dated 2-6-08 from Senator Catharine Young regarding concerns with the scheduled closure of I86 Exit 28 on the eastbound side for Cuba. She has written a letter to Peter White, Director of the NYS Department of Transportation Region 6 to install appropriate signage well before Hinsdale Exit 27 during this scheduled closure. She personally called Mr. White on our behalf. Mr. White assured her that DOT will be reaching out to the affected local governments and business community to address the concerns and to make sure our viewpoint receives the attention it deserves, she has taken the liberty of forwarding your letter to DOT for a response.

Mayor Taylor wanted to thank Assemblyman Joseph Giglio for membership initiative grant number TM07217 for \$6,750.00 for an engineering report on the Village of Cuba Storm Water System.

Mayor Taylor also thanked Senator Catharine Young for a DEC grant TM07019 for \$6,800.00 for the engineering report for the Wastewater Treatment Plant and Collection System.

These both have been very helpful.

Mayor Taylor received a letter from the Assembly State of New York regarding the tax crisis in New York State and its impact on New York families. The following resolution was read:

**RESOLUTION #2, 2008  
ENDORING THE NYS PROPERTY TAXPAYERS PROTECTION ACT.**

**WHEREAS**, the tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state; and

**WHEREAS**, young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

**WHEREAS**, New Yorkers face the highest property taxes in the nation and when measured as percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

**WHEREAS**, Assembly Minority Conference Members have introduced the "New York State Property Taxpayers Protection Act" (Assembly Bill 8775-A), which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition the Act would relieve municipalities and school districts of unfounded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling; and

**WHEREAS**, The "New York State Property Taxpayers Protection Act" will help fix New York's broken tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing taxes; and now, therefore, be it

**RESOLVED**, that this Legislative Body pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayers Protection Act," which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here; and be it further

**RESOLVED**, that a copy of this Resolution, suitably engrossed, be transmitted to the Governor of the State of New York the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

**DATED: MARCH 10, 2008 WITH A MOTION MY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED UNANIMOUSLY.**

**OLD BUSINESS:** Trustee Shelley stated that a motion needs to be passed to add a handicap parking space on W. Main St. on the corner of Orchard St. in front of 46 W. Main St. and another on E. Main and Maple St. in front of Four Seasons 33 E. Main St. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JUDITH ZAYAC TO ADD THESE TWO HANDICAP PARKING SPACES. THIS PASSED UNANIMOUSLY.**

Trustee Shelley also asked about a letter received from Ray Perkins regarding enacting a curfew. Mr. Shelley asked if anyone had looked any further into this? A discussion took place on this. Trustee Zayac maybe we should talk to the police about patrolling the troubled areas more and maybe get a citizens committee together to look into a curfew more. These were just suggestions. Trustee Shelley wanted to know if this is something that the Board wants to look at? The Clerk will get sample laws from Franklinville and Portville, also the Board will talk to the police as they are not sure this is a big problem. A letter will be sent to Mr. Perkins to let him know all of this will be looked into.

Trustee Shelley wanted to know if there was anything new with the Prospect St. bridge? Trustee Zayac stated that she has not organized a meeting yet.

NEW BUSINESS: none

THE MAYOR ASKED IF THERE WERE ANY QUESTIONS OR COMMENTS ON PROPOSED LOCAL LAW #1, 2008? WITH THERE BEING NONE, A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC TO CLOSE THE PUBLIC HEARING AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED. TIME: 8:42PM

A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO ADOPT LOCAL LAW #1, 2008 PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE. THIS WAS 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

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

TIME: 8:44 PM  
RESPECTFULLY SUBMITTED

D.

WILSON