

UNAPPROVED

The Village of Cuba monthly board meeting was held on Monday, August 17, 2009 at 7:00 pm in the Cuba Village Hall.

PRESENT: Mayor Thomas Taylor, Trustees Judith Zayac, Patricia Petroni, Michael Doyle and John Wells.

ALSO PRESENT: Superintendent of Public Works, Richard Hall, Clerk/Treasurer Diane Wilson, WWTP Operator Lloyd Lewis, Fire Chief Randy Snyder, David Crowley and Wendall Brown, Friendship Empire Zone.

THE MAYOR OPENED THIS MEETING WITH THE PLEDGE OF ALLEGIANCE.

GUESTS: Mr. Brown attended this Board to give updates to the Empire Zone. He also gave a brief history of the zone for the new Board members. He stated that the zone was established in 1993-94 when Village of Cuba and Town of Friendship partnered to establish the Empire Zone. At this time over 360 acres in the Town and Village of Cuba are in the zone. There are fewer businesses on the list in the zone this year then last year. He gave a list of businesses in Cuba in the zone. Mr. Brown also gave the Board a handout on the reforms to Empire Zone, which became effective on April 1, 2009. He noted that originally the program sunset date was June 30, 2011 and has now been changed to June 30, 2010. He is not sure if the state will renew the Friendship Empire Zone or not. Trustee Zayac asked if the Village should write a letter to the County Legislators, Assemblyman Giglio and Senator Young asking for their support in renewing the Friendship Empire Zone. Mr. Brown said this would be a good idea and asked that a copy of these letters be sent to his office. At this time the Mayor asked for a motion to sign the annual letter of Friendship Empire Zone commitment. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JUDITH ZAYAC AND PASSED TO HAVE THE MAYOR SIGN THE ANNUAL COMMITMENT LETTER FOR THE FRIENDSHIP EMPIRE ZONE.**

David Crowley filed a complaint several months ago on the barn at 40 South Street, which had burned on April 15th of this year. This barn has not been disposed of and it is very offensive to the neighborhood. Complaints were also received from Mr. Wagnor who owns property behind the barn. Mr. Crowley brought pictures of the barn as well as the junk that is stored on the back porch of the property at 40 South St. This burned barn is located in the historic district and this does not fare well with all that keep their properties in good shape. Mayor Taylor stated that Mr. Utter was sent a violation letter in July, but it was returned as it went to the South St. address instead of Clarence, NY address. It was recent. Also Mr. Putt talked to a brother of the property owner who was at the property in August and he was told that this problem has

to be cleaned up. Trustee Petroni stated that this should have been taken care of along time ago. Trustee Wells was concerned that maybe Mr. Utter had not received the insurance money on this and that was why it had not been cleaned up yet. This subject was discussed further and the Board feels that Mr. Utter should be given a letter and given until September 15th, 2009 to clean this debris up or action will be taken and the cost will be considered a lien on his property and be put on his 2010 village taxes. The Mayor will contact the Code Enforcement Officer, Walt Putt on this.

MINUTES: The Board all had copies of the minutes of 6-18-09, 7-13-09 and 7-28-09. With no discussions or amendments to the above minutes motions were made as follows:

A MOTION ON THE MINUTES OF 6-18-09 WAS MADE BY TRUSTEE PATRICIA PETRONI AND SECONDED BY TRUSTEE JOHN WELLS AND PASSED TO APPROVE THESE MINUTES AS WRITTEN.

A MOTION ON THE MINUTES OF 7-13-09 WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE PATRICIA PETRONI AND PASSED TO APPROVE THESE MINUTES AS WRITTEN.

A MOTION ON THE MINUTES OF 7-28-09 WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE JOHN WELLS AND PASSED TO APPROVE THESE MINUTES AS WRITTEN.

BILLS: Clerk/Treasurer Wilson highlighted a few items on the Abstract of Vouchers 126-216 to be paid this month. One item was the repairs to Cuba 9 in the amount of \$5,805.85. Trustee Doyle asked just what the repairs were. Chief Snyder explained the repairs to the Board, one of which the truck would start then immediately shut off. This had to do with the ECM, which has to do with the fuel intake. Another item on the abstract noted was the bill for refuse service was higher this month as it had the Village share of the insurance on it. The sewer camera was purchased from TV Ferret this month as well. This will be turned in for reimbursement from the moneys received from EFC along with other expenses incurred to this date for the wastewater project. The bill from Ungermann Excavating for the sewer main on Medbury Ave. will also be turned in for reimbursement with the stimulus money the Village was allotted, as this is part of the rehab on the sewer lines. The following is the breakdown of the bills to be approved for payment:

GENERAL FUND	\$94,108.84
WATER FUND	\$ 7,210.10
SEWER FUND	\$32,550.08
TOTALING	\$133,869.02

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JUDITH ZAYAC AND PASSED TO PAY THE MONTHLY BILLS.

POLICE REPORT: Chief Fries dropped off his report earlier in the day. On this report it listed the activities of the police department for July 2009. In the Village 18 uniform traffic tickets were issued, responded to 4 motor vehicle accidents in the Village. Also town wide there were 237 calls to service and 33 cases investigated.

When the Chief dropped off his report the Mayor asked him about curfews and if he felt it was still necessary. Chief said that it has been pretty quiet this summer, but probably should still be looked at. Trustee Petroni read an article from the June 10, 2009 issue of the Buffalo paper, which stated that the curfew law in Rochester was challenged and found to be unconstitutional to both the teens and the parents according to a ruling by the State Court of Appeals. This has been brought up in the past by NYCOM as well as other articles. The Board asked the Superintendent if he has had problems? Mr. Hall stated that he has had a lot of damage done to signs in Chamberlain Park. These signs are very expensive to replace.

FIRE DEPT. REPORT: Fire Chief Snyder reported on the July 2009 activities of the department.

- ❑ South Western Convention here and gone. Good time for all that went.
- ❑ Cuba 9 fixed, all other trucks all up to code.
- ❑ D.E.C. Grant was approved; the department has to spend \$2,000 to get \$1,000 back.
- ❑ Patriot Guard Bike Rally went good will be here again next year.
- ❑ Shawn Numeraki completed Fire Fighter 1 course in Montour Falls. He is nationally certified.

The department responded to 14 calls in July. Trustee Petroni stated that she was very concerned for the firemen's safety during the storm on Sunday, August 9th and was hoping everyone was okay. It was also noted that the Council of Churches is holding a firemen appreciation day on Sunday, August 23rd at Chamberlain Park.

CODE ENFORCEMENT REPORT: Mr. Putt emailed his report to the Board and the Mayor asked that it be inserted into these minutes.

JULY 20TH

Attended the Planning Board Meeting

JULY 21ST

Stopped at the office to check mail and dropped off Board of Appeals papers. Put the sign for variance in Hillman's yard.

JULY 23RD

I met with the owner of 15 Union Street to see if she could have a porch installed like the one that used to be there. Told her that she could. Inspected the framing of the porch at 18 Champlain. A violation notice was written to Mrs. Peacock of 10 Union Street for installing a pool without a permit.

JULY 29TH

Picked up mail at the Village Hall. Violation notices were written for Philip Utter at 40 South St. to clean up after a fire, for CNY Homes at 3 Elm Street for improper installation of a connection to the sewer line and venting of plumbing.

Village Clerk will re-mail violation notice to 10 Union St. for pool installation without a permit.

AUGUST 1ST

Inspected a pellet stove at 8 Willow Street for Tina Ingalls for a child care facility in her home.

AUGUST 6TH

Stopped at 40 South St. and talked to the brother of the owner. He said his brother was in Buffalo but he would tell him the burnt barn has to be cleaned up.

A permit was written for Kim Hillman at 43 Patriot Ave. for an addition to his garage. Stopped at the office to get the mail. At 9pm came out and met with Jeff Sergeant over the lights in the Village facility that are shining in Lon Sweet's windows. He is going to make a visor for the two lights in question and will install them over the weekend.

AUGUST 7TH

Talked with Jeff Sergeant on the phone. He told me he had installed the visors on the two lights and would wait and see if it solves the problem.

Received a message from Corner Stone Homes over 3 Elm St. He said all the plumbing in the basement had been corrected. I returned his call and left him a message that I had to inspect this.

Looked at 140 W. Main St. over a complaint from Mrs. Murphy that she had her son in a wheel chair, to the doctor and there had always been a ramp there and the ramp is gone. Her husband was with her and was able to pick the chair up and get it over the step into the doctor's office. She said she couldn't do this by herself and questions why the ramp was removed. I told her I would look into it and see if we could get the ramp back.

Trustee Doyle once again commented on a complaint he received of the tires between the buildings on Sibley St. The Mayor will also talk to Mr. Putt about this.

WWTP OPERATORS REPORT: Lloyd informed the Board that the #1 skim arm broke off pilar and he had called a welder who came immediately and welded it back on. He also stated that that same day the Health Dept. arrived and wrote him up on several violations. Most of these violations have been corrected. The violations are posted at the WWTP and on file in the Village Hall.

SUPERINTENDENT OF PUBLIC WORKS: The following is the report SPW submitted:

- ❑ Medbury Ave. sewer invert completed
- ❑ Tree removal underway per Tree Board request
- ❑ Put up Garlic Festival Banner
- ❑ Hot patching holes
- ❑ Mowing lawn at 30 Grove St. (will be added to taxes)
- ❑ Repaired washed out shoulder on Spring St. hill
- ❑ Cleaned ditch on Windsor St. and rip/rap washed out banks
- ❑ Cut up tree in Chamberlain Park that came down during storm and cleaned up other debris
- ❑ Put running boards on new truck and delivered to Rochester to have hydraulics and sump body installed
- ❑ Received new sewer camera equipment had training
- ❑ "PICO" at Champlain Well died-replaced with new one. Old one about 6 years old.
- ❑ Swept up loose stone on Health Camp Rd. for Town of Cuba
- ❑ Lyman Smith's water service-"our mistake"
- ❑ Cut down sod in subway on E. Main St. (finished, had many good comments).
- ❑ Water leak Bishop St. on service line
- ❑ Water "MAIN" break on Woodruff St. Was up with three other crewmembers all night fixing this leak. Thanks to the City of Olean for providing parts at 4:00 am to help fix this line so that Woodruff St. residents had water back. A letter was sent to Mayor Carrucci than him and his crew.
- ❑ Met with NYSDOT about Myrick Property. The crosswalk area will be changed and sidewalk blocks added to the school side of Route 446. The school has agreed to help with this project.
- ❑ Replaced hydrant on Maple and Medbury intersection
- ❑ Helped with Flag Pole installation

Trustee Petroni asked about the painting of the fire hydrants. Rick informed them that the fire department on 8-28-09 will weedat around the hydrants and the N. Park Wesleyan Church will paint the hydrants red with silver tops on Labor Day weekend.

Mayor asked if Mr. Hall he had heard from National Grid on the reimbursement for the sewer line work on South St.? Rick told him we haven't heard any response. The Board asked Rick to send a letter asking about the status of this reimbursement request.

CLERK/TREASURER: Clerk Wilson reported that both she and Deputy Clerk have been very busy with the day-to-day duties. Fire Department expenses for year-end May 31, 2009 have been sent to the Town of Cuba for them to use when preparing their 2010 budget. The Town of Cuba pays the Village half of

the amount expended for Fire Protection in the Town of Cuba. We are now preparing the second notices to be sent to property owners in the Village with unpaid 2009 Village taxes.

COMMITTEE REPORTS: Trustee Zayac asked if any more was heard on the union? There wasn't much at this time, just waiting for a contract to review. Trustee Wells was informed that he is on the personnel committee along with Trustee Zayac and the Clerk will get to him the files on this for his review and he can also talk to Trustee Zayac.

MAYORS REPORT: Mayor Taylor reported that a ceremonial check presentation held by Environmental Facilities Corporation was held at the Cuba Lake Yacht Club on 8-17-09, for the money the Town of Cuba and Village of Cuba will receive from Stimulus Money through EFC. Many dignitaries attended as well as many local residents. It was a good turn out.

OLD BUSINESS:

Trustee Petroni commented on a phone call from Linda Botens concerning the cats on Bishop St. She has found homes for all of them. Two of the cats will need to be spayed/neutered at the Village's expense. The SPCA gave Linda the vaccine for the cats because there were no records of the vaccination of some of cats. The Village will also be paying for this. Trustee Petroni stated as good as these people's hearts are, they do not have a license to harboring these cats and there was no proof of vaccinations and some of the cats were ill. It was also discussed that Mr. Marcoux does have a proper shelter for his chickens at this time, but come winter he will have to do something different for them to survive the winter.

A MOTION WAS MADE BY TRUSTEE JUDITH ZAYAC AND SECONDED BY TRUSTEE MICHAEL DOYLE TO GIVE PERMISSION TO MR. MARCOUX TO KEEP FOUR OF HIS CHICKENS AND FOR MR. & MRS. ANDRUS TO KEEP 4 CHICKENS. IT WILL BE STATED THAT MRS. BOTENS WILL BE PERIODICALLY CHECKING THESE COOPS AND MAKE SURE THEY ARE TAKEN CARE OF PROPERLY AND MAKE ADJUSTMENTS FOR THE CHICKENS TO SURVIVE THE WINTER. SHE WILL REPORT BACK TO THE VILLAGE ON THIS. THIS WAS PASSED UNANIMOUSLY.

NEW BUSINESS: A letter was received from Town of Cuba Supervisor, Barbara Deming on accepting the septage removed from septic systems at the lake at the wastewater plant. After a discussion on this subject it was decided due to the increase the Village is expecting from Allegany County this year for disposing of sludge from the treatment plant and not knowing what could have been put into these systems that could cause some issues at the plant, the Village will charge the Town of Cuba 4 cents per gallon to discharge of the septage from the existing system at the lake. This is one third of the cost to private contractors to do the same. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY PATRICIA PETRONI TO ALLOW THE TOWN OF CUBA TO DISPOSE OF THE EXISTING SEPTAGE FROM THE LAKE AT four (4) CENTS PER GALLON. THIS PASSED UNANIMOUSLY.**

WITH NO FURTHER BUSINESS TO DISCUSS A MOTION WAS MADE BY TRUSTEE PATRICIA PETRONI AND SECONDED BY TRUSTEE JOHN WELLS TO ADJOURN THIS MONTHLY BOARD MEETING.

TIME: 8:30 PM

RESPECTFULLY SUBMITTED,
D. WILSON