

UNAPPROVED

The Village of Cuba held their monthly Board Meeting on Monday, March 9, 2009 at 7:00 pm in the Cuba Village Hall, 17 E. Main St.

PRESENT: Mayor Thomas Taylor, Trustees David Sweeten, John Shelley and Michael Doyle. Trustee Judith Zayac was not present and the Mayor excused her.

ALSO PRESENT: Richard Hall, SPW, Diane Wilson, Clerk/Treasurer, Derek Clement, Fire Chief and Donald Donovan.

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

GUESTS: none to speak

MINUTES: Clerk Wilson copied the Board on the minutes of the February 9, 2009 Monthly Board Meeting. With corrections, deletions, etc a **MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO APPROVE THE MINUTES OF FEBRUARY 9, 2009.**

BILLS: Clerk/Treasurer Wilson gave to the Board the Friday before this meeting a copy of the Abstract of Vouchers 604-638 totaling \$66,636.82, to be paid this month. The breakdown by fund is as follows:

GENERAL FUND	\$36,423.32
WATER FUND	\$ 8,828.49
SEWER FUND	\$17,657.81
CAPITAL FUND	\$ 3,727.20

With no questions or comments on the bills to be paid this month a **MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED TO PAY VOUCHERS 604-638 TOTALING \$66,636.82.**

POLICE DEPT. REPORT: N.A.

FIRE DEPT. REPORT: Chief Clement reported that Cuba 9 (ladder truck) has had all batteries replaced as well as the alternator and battery trickle charger. The truck would not start for the County Road 20 fire and when Lyman's Truck Service looked at it they found that the trickle charge had gone bad causing the alternator to short out. The batteries were original and needed to be replaced as well.

Cuba 3 (1993 KME Pumper) had a pump packing bad. The truck was sent to get packing changed, while they were working on the packing they found a plug in

the pump casing that had rotted out and needed to be replaced. Pump has been fixed and is working fine.

Churchville Fire Equipment has completed the annual air pack inspection, which is required by PESH. All packs pass the flow test. There were a few parts that needed to be replaced but overall everything went well.

The Thermal Imaging Camera that was damaged at the County Road 20 fire could be fixed. MSA had to replace the LCD viewing screen. The cost of the repair was \$1,585.00 compared to the cost of replacement \$15,000. This cost was turned in on insurance, along with other equipment that was damaged.

The department sent Kevin Nutt, Jason Butts and Dan Gadd to Emmetsburg, MD this past weekend for the NYS Weekend at the National Fire Academy. The courses were all classroom training pertaining to fire officers. Veteran Battalion Chiefs from around the United States teaches them.

The mandated PESH physicals that the department is being cited for have been scheduled for April 14th at the fire hall. This was one area that the department were in violation, for our PESH inspection that been received last month. These physicals are required to be done annually and need to meet PESH and NFPA compliance. The department has contracted with a company out of Buffalo, Occumed of Western New York; which came highly recommended by several departments.

The department responded to eleven (11) incidents for February.

Chief Clement thanked the Board for their support the past years as he will be stepping down as Chief and Randy Snyder will be stepping in. The Mayor thanked him and he appreciated his service.

Clerk Wilson informed the Board that a letter was received from the fire department requesting the open container law be lifted for certain areas and events. The events are as follows:

May 30, 2009, Demo Derby at Firemen's Park starting at 2:00 pm, the open container will need to be lifted at the park.

Dairy Week, Wednesday, June 3rd thru Saturday, June 6th, the open container law will need to be lifted for Firemen's Park. Also informed the Board that the parade will be held at 5:00 pm sharp on Saturday, June 6th. The Orange Crate Derby will be wither on Spring or Hill Street, starting at 9:00 am on Saturday, the 6th.

The open container law will also need to be lifted for the Allegany County Firemen's Annual Convention. The dates for this convention are Wednesday, July 8th thru Saturday, July 11th. The events are being planned for that park

and in front of the fire hall with a parade at 7:00 pm on Saturday the 11th. Would like the open container law lifted for the park and in front of the fire hall for these dates.

Another event this year will be the Patriot Guard Bike Rally the weekend of July 24th and Saturday July 25th. Would like the open container lifted for Firemen's Park for those two days.

A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO LIFT THE OPEN CONTAINER LAW FOR ALL THE ABOVE FIRE DEPARTMENT EVENTS AT THE LOCATIONS INDICATED ABOVE. THIS PASSED UNANIMOUSLY.

A letter was sent to Police Chief Fries on these events and a letter will be sent from the Village to let him know that the open container law was lifted for the events and location of.

BUILDING INSP./CODE ENFORCEMENT OFFICER: Mr. Putt sent his written report to the Board for the month of February. The Mayor asked the Clerk to have this report documented in these minutes.

February 6th-Mr. Putt talked with Mr. Krull of West Main Street over the parking lot at the hospital. He said he would attend the board meeting. He insists the Planning Board can do something to resolve this problem.

February 11th-Mr. Putt talked with Marilyn Bunk, the Town of Cuba Court Clerk over a court date for John Zimmerman. He was give the dates of March 3rd and March 31st.

Received a phone call from Andrew Boser, CEO of the hospital. He advised me that the property in back of the parking lot of the hospital does not belong to Mr. Krull. He has talked with the DEC and Mr. Putt concluded that this is a legal matter and should not be a concern to the Village of Cuba.

February 18th-Inspected 4 South Park and a Certificate of Occupancy was written for Cummins Construction.

February 23rd-Received a call from the owner of the Antique Shop on Route 446 over a permit that had been written by Mr. Klein earlier this year. They had the holes dug for the footings and I will inspect them this night.

February 25th-Received a call from the Village Clerk over a chimney fire at 34 Medbury Ave. He inspected the chimney for Donna Green. The problem was with a pipe elbow that was used for a cap. Told her to extend the chimney one flue and get a proper cap. Mr. Putt also advised her to trim a tree that was too close to the chimney. He gave her a verbal warning about the junk and wood around the home.

February 26th-Received a call from John Zimmerman, owner of Zim's Lumber. Set up a meeting for the 27th over the violation of his LP tank.

February 27th-Met with John Zimmerman. He is going to move the LP tank in the back to meet the code. He has stated he will get this done as soon as possible.

Stopped at the Antique Shop to look at the porch that is being built. Mr. Putt believes that with the amount of construction there should be a handicap ramp. He will follow up with the owner about this.

WASTEWATER TREATMENT PLANT: no report

SUPERINTENDENT OF PUBLIC WORKS: Superintendent Hall reported that most of this past month the crew worked on the remodeling of the Board room. He thanked the crew for all their work on it. The Mayor also thanked Rick and the crew and remarked on how nice it looked.

1. Plowed and sanded as needed.
2. Shoveled walks and bridges as needed.
3. Serviced the backhoe, replaced front tires and replaced a steel hydraulic line that was leaking.
4. Reading water meters at this time.
5. Picked up brush and steel goods.
6. Cleaned various sewer laterals and mains.
7. Replaced water shutoff at 69 E.Main St.
8. Pothole patrol patching with cold patch.
9. Plus normal routine jobs: underground locates, daily water tests, etc.

Mr. Hall reported that he would be able to start on the Hardy Street sewer project. The light relocating by Hawkeye on the South Street is done. Hawkeye will be back when the weather is better to fix lawns. In June or July, Portville is going to loan the Village their camera to check the sewer lines on South Street to see if there is anymore damage caused by the street lights before closing out with National Grid.

CLERK/TREASURER REPORT: Clerk/Treasurer Wilson reported that she has been busy preparing the working budget for fiscal year 2009-2010. Preparing paperwork for stimulus money for the wastewater project. Seems to be something every week coming in and there probably will be more coming. Water shutoffs for over 60 days delinquent January 4th bills were sent. The last day to pay on these delinquent bills is March 16th.

The bank reconciliation's are all up to date and will have to set up a meeting with the finance committee after the budget process is over to go over these. Recreation 2009 employment ad was sent to the papers to hire recreation employees for 2009. A letter was also sent to the school for the use of the pool.

Printed election ballots for the March 18, 2009 and sent absentee ballots out to voters on the absentee ballot list. Voting will take place from noon to 9:00 pm in the Village Hall.

Waiting for the February refuse bill from Friendship to prepare the Cuba Memorial Hospital refuse bill.

COMMITTEE REPORTS: Trustee Shelley reported that there has been no action with the personnel committee.

The last refuse meeting was canceled and a new one will be set.

The finance committee will meet after the budget process is finished.

Trustee Sweeten reported that Village Attorney Cappellini stopped in with a draft of the outdoor furnace law. The Board will review the law once again and get back to the Attorney. Clerk Wilson suggested that the Board wait to schedule a public hearing on this once the law is received. The hearing will have to set at a scheduled board meeting.

MAYORS REPORT: Mayor Taylor thanked Rick and the crew for the work on the Board room.

The Mayor reported that on February 20th submitted a stimulus proposal for the wastewater project to Governor Paterson. On the 26th of February overnighed a Clean Water State Revolving Fund application to NYS Environmental Facilities Corp. in Albany and it was received.

Mayor Taylor stated that this was Trustee Sweetens' last official Board Meeting and Trustee Shelley as well as he has resigned as of March 31st. He thanked them both for their work and dedication and they will both be missed.

OLD BUSINESS: Mayor Taylor stated that the committee on the demolition of 14 Chapel Street recommended the purchase of the property, as it will be going up tax sale this year. The cost would consist of 2009 taxes and closing costs, etc. The Village will then demolish the structure on this property and sell it at fair market value to put it back on the tax rolls after the Village purchase. A letter of intent will have to be written to the Allegany County Ways and Means Committee for recommendation. **A MOTION WAS MADE BY TRUSTEE MICHAEL DOYLE AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO SUBMIT A LETTER OF INTENT TO PURCHASE THE PROPERTY AT 14 CHAPEL ST.**

Trustee Sweeten commented that he does not feel the Village should get into the real estate business; therefore he voted against the buying of this property.

Trustee Shelley had concerns that can the Village demolish the structure on this property since it will be going up for tax sale as it is being sold with a structure on it? More discussion took place and with there being other questions the Mayor will contact the County on this and ask for something in writing before proceeding with the demolition.

Superintendent Hall reported that he received three quotes for the roofing removal and disposal from three different companies. The lowest quote was from First Class Exteriors out of Olean at \$2,350.

Also Norm Ungermann had the lowest quote to knock down the structure and filling in at a cost of \$2,500.

Chief Clement asked if the fire department could use the structure for interior training prior to burning it. The Board thought that this was okay if Rick could coordinate all the dates with everyone involved. Rick also said that he would be contacting all the neighbors in the vicinity about the burning of this structure.

NEW BUSINESS: Clerk Wilson asked the Board to consider a sewer increase effective immediately. She explained that the sewer fund has not had an increase since 2006; it is really needed to keep up with the continued repairs at the plant and the cost of operating the plant. There are no extra funds in this account to handle any unforeseen repairs. The minimum user of 0-5,000 gals. would see an increase of 1.95 per quarter or \$7.80 per year. An average user of 20,000 gallons per quarter would see an increase of \$3.95 a quarter.

A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE MICHAEL DOYLE AND PASSED TO HAVE A FIVE PERCENT INCREASE ON THE SEWER PORTION OF THE WATER/SEWER BILL TO TAKE EFFECT IMMEDIATELY. THIS WAS PASSED UNANIMOUSLY.

Trustee Shelley commented that there would have to be some belt tightening with the 2009-2010 budget. This will have to be looked at.

A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE MICHAEL DOYLE TO HOLD THE PUBLIC HEARING ON THE 2009-2010 PRELIMINARY BUDGET AND THE ORGANIZATIONAL MEETING ON MONDAY, APRIL 13, 2009 AT 7:00 PM.

WITH NO FURTHER BUSINESS TO DISCUSS, A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY TO ADJOURN THIS MEETING.

TIME: 8:06 PM

RESPECTFULLY SUBMITTED
D. WILSON