

UNAPPROVED

A Public Hearing on a Sewer Rate Increase and Public Hearing on a Bonding Resolution for a new Pumper/Tanker Fire Truck, along with the monthly Village Board Meeting were held on Wednesday, November 14, 2007 at 7:00 pm in the Cuba Village Hall.

PRESENT: Mayor Thomas Taylor, Trustees David Sweeten and John Shelley. Trustees Michael Doyle and Judith Zayac were not present.

ALSO PRESENT: Clerk/Treasurer Diane Wilson, Superintendent of Public Works Richard Hall, Wastewater Treatment Plant Operator Lloyd Lewis, Richard Klein, Bldg. Insp./CEO and Daniel Gadd Captain of the Cuba Fire Dept.

THE MAYOR OPENED THIS MEETING WITH THE PLEDGE OF ALLEGIANCE.

Mayor Taylor opened the first public hearing on a possible sewer rate increase. The following resolution was presented.

WHEREAS, being that the cost of operating the Wastewater Treatment Plant is increasing each year. The plant is more than ten (10) years old and many major repairs have been needed as well as anticipating more upgrades needing to be done.

WHEREAS, the NYS Department of Environmental Conservation has criticized the Village for Inflow and Infiltration (I&I) into the sanitary sewer system. Inflow and Infiltration are terms used to describe the ways that groundwater and storm-water enter the sanitary sewer system, which results in higher treating costs at the Wastewater Plant and therefore the Village has to remedy this situation.

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees is proposing a sewer increase of 5% on usage over the minimum usage. The minimum usage is 0-5,000 gallons. This would increase an average user of (family of 4) estimated usage of 21,000 gallons, at a cost of \$3.58 per quarter of \$14.32 annually.

This increase would take effect upon adoption of this resolution.

Mayor Taylor asked if there were any questions or comments on this possible increase? With there being none at this time he stated that the public hearing would remain open for the duration of this meeting.

Mayor Taylor open the second public hearing at this time on the Bonding resolution for a new pumper/tanker fire truck. The following bonding resolution was read by the Clerk/Treasurer:

BOND RESOLUTION DATED NOVEMBER 14, 2007

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF ONE NEW PUMPER/TANKER FIRE TRUCK BY THE VILLAGE OF CUBA

VILLAGE, ALLEGANY COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$170,000.00 AND THE ISSUANCE OF \$170,000.00 SERIAL BONDS OR STATUTORY INSTALLMENT VOND OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the Board of Trustees of the Village of Cuba Village, Allegany County, New York, as follows:

Section 1. The purchase of one (1) new pumper/tanker fire truck by the Village of Cuba Village, Allegany County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of One Hundred Seventy Thousand Dollars (\$170,000.00).

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of One Hundred Seventy Thousand Dollars (\$170,000.00) serial bonds or statutory installment bond of said Village, hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty (20) years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of said bonds will exceed five (5) years.

Section 4. The faith and credit of said Village of Cuba Village, Allegany County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds or statutory installment bond herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds or statutory installment bond herein authorized including the date, denominations, maturities and interest payments dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds or statutory installment with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- a. Such obligations are authorized for any object or purpose for which said Village is not authorized to expend money, or
- b. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced with twenty (20) days after the date of such publication, or
- c. Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary or in full in the Cuba Patriot, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Mayor Taylor asked if there were any questions or comments on this bonding resolution? With there being none, he stated that this hearing would remain open for the entire length of the board meeting.

GUESTS: none

MINUTES: Clerk Wilson copied the minutes of the monthly board meeting held on October 8, 2007. The corrections were mentioned under guests fourth sentence should read, "Mayor Taylor stated that"; the second correction would be on page 2 next to the last paragraph should read, "Trustee Sweeten said that". Also under minutes should say "with no corrections". There were some spelling errors, which will not be mentioned. **A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF 10-8-07.**

The minutes of the 10-22-07 Special Board Meeting were given to the Board. **WITH NO CORRECTIONS, DELETIONS OR AMENDMENTS A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF 10-22-07.**

BILLS: Clerk/Treasurer Wilson gave to the Board prior to the Board meeting Abstract of Vouchers 300-390 in the amount of \$79,309.05 with the breakdown as follows:

GENERAL FUND	\$52,962.34
WATER FUND	\$ 8,387.64
SEWER FUND	\$17,959.07

WITH NO QUESTIONS OR COMMENTS ON THE BILLS TO BE PAID THIS MONTH A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED TO PAY THE MONTHLY BILLS IN THE AMOUNT OF \$79,309.05.

POLICE REPORT: none

FIRE DEPT. REPORT: Dan Gadd Captain of the Cuba Fire Dept. attended this meeting to give the report. He reported that the Truck Committee has two vendors left to meet with; one tomorrow night and the last one will be Monday. Once all the information is obtained committee will then draw up a set of truck specifications to put out for bid.

An annual open house was held on Oct. 31st, Halloween all went well.

The annual Ham & Turkey Party will be held Saturday, Nov. 17th at 7:00 pm.

Chief Clement ask to submit 2 more bills that were received late, to this months bills. One from Churchville Fire Equipment for mask storage bags in the amount of \$101.85 and another one from Roadrunner Auto Parts for electrical relays for the rescue truck in the amount of \$29.10.

The department responded to 10 incidents for the month of September.

Mayor Taylor asked Mr. Gadd about how many people came to the fire dept. open house on Halloween? It was estimated between 250-300.

BUILDING INSPECTOR/CEO: Mr. Klein reported that a variance request was received from John Chisholm to build a garage 7 feet from the lot line instead of 10 feet. The Zoning Board approved this request on November 7th.

Rinker Oil (Arrow Mart) will be opening within the next couple of days. Store is being stocked and the gas pumps installed with inspection tomorrow and the suppression system in the canopy has been installed and inspected.

The Cheese Shoppe addition has been completed and has had an open house.

The Dental Clinic on Center St. is now running and has employed three.

WASTEWATER PLANT OPERATOR: Mr. Lewis reported that both Mr. Quinn and Mr. Hopkins have been working at the plant. Both seemed to like and are enthusiastic. There is a lot to learn. Mr. Hopkins was able to sit down and do the math for the operations and he did it correctly and effortlessly. Mr. Lewis feels it is going to be a trail and error set up for some time before any commitment should be made to who will be chosen.

Rear tractor tires were bought loaded with liquid ballasts.

Mr. Lewis stated that he is required to have 60 credit hours to retain his license as wastewater plant operator. He has 47 ½ at this time and needs 12 ½ more before its expiration in October 2009. The NYRWA will be holding training in Olean in March for the remaining training hours. The Board okayed this.

SUPERINTENDENT OF PUBLIC WORKS: Superintendent Hall reported the following:

1. Installing water/sewer service on Spring St. Hill (Perry)
2. Finished painting Clerk's office.
3. Picking up leaves.
4. Water shut off replacement-30 Maple St.
5. Paved Medbury St. from Green to Genesee Pkwy.
6. Brush hogged I-86 interchange last time of season
7. Removed one tree in Willowbank Park (per tree board)
8. Serviced equipment that was due
9. Fall fire hydrant flushing is complete
10. Flower boxes put away for winter
11. Winterized bathrooms in both park
12. Put skate park equipment in storage for winter
13. 600 tons salt/sand mix here and piled
14. Genesee Park decorating will be Saturday, Nov. 24 at 9 am
Christmas lighting ceremony will be 12-1-07 and downtown lights will be on from 5 pm.-11pm daily starting 12-1-07 through 1-2-2008.
15. Thanks to Dave Hardman from the school for supplying a man to help with concrete work.
16. Plus all of our normal monthly routine.

LOOKING FORWARD in the coming month to finish leaf pickup. Repair catch basins and install one basin on the corner of Hardy and Maple Sts. Replace more water shut offs. Cut wood for winter heat. Finish water and sewer project on Spring St. hill.

Mayor Taylor asked Mr. Hall to explain some of what was found with the TV inspection of the sewer system. The 10 minutes of video which took all day due to obstructions confirms what the Village knew. It showed rocks imbedded in grease, deteriorated manholes, also found soot and sand in a line, which is suspected that a pipe is broken. Steve Grimm will be back tomorrow to look at other areas. Mr. Hall stated that as far as he is concerned this sewer increase in warranted. There is a lot to do. Steve Grimm is from Rural Water and the Village thanks him. Mr. Grimm also mentioned that there maybe low interest funding out there to help. The Village will get a copy of this video once completed. This is all free because the Village is a member of the Rural Water Association.

CLERK/TREASURER: The following election resolution was presented:

NOTICE OF OFFICES TO BE FILLED

WHEREAS, the next General Elections for officers in the Village of Cuba will be held on Tuesday, March 18, 2008 and

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and terms thereof,

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees designates for the following offices as vacant at the end of the current official year, to be filled at the Village Election to be held on March 18, 2008 for the following terms:

TRUSTEE-2 Year Term to fill the expiring term of John Shelley

TRUSTEE-2 Year Term to fill the expiring term of Michael Doyle

A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED UNANIMOUSLY TO DESIGNATE THE OFFICES TO BE FILLED AT THE 3-18-08 ELECTIONS.

Clerk/Treasurer reported that on November 1, 2007 that Deputy Clerk Butts returned to the Allegany County Treasurers Office list of June 2007 unpaid Village Taxes.

COMMITTEE REPORTS: Trustee Shelley informed the Board that the Finance Committee met with Ms. Wilson to audit the end of year 5-31-07 finances. It looks good but tight. Clerk/Treasurer Wilson stated that she is certain that with the rising utilities and fuel costs that the 2007-08 budget will be even tighter. Will have to look at this close at the 2008-09 budget workshops in March.

MAYORS REPORT: Mayor Taylor reported that a letter was received from the "Make A Difference Day Crew". This letter stated that funding was made available from the Paul Newman Foundation in the amount of \$10,000. for the group to distribute for projects for young people and seniors. The "Crew" spent a great deal of time and effort to ensure that their choices in awarding this grant were well thought out. The Mayor commends this group for the great effort they have put forth to help develop opportunities for others in this area. The Village of Cuba was awarded a \$300.00 grant to use for the Recreation Program to purchase a new ping-pong table. The Mayor would like to thank the "Crew" consisting of Mentor, Robert Fairbanks, Jon Thomas, Josh, Teagan, Michelle, Mark, Zach, Emma, Stephanie and Ashley for this grant.

Mayor Taylor the Village and Town of Cuba have applied for a Comprehensive Economic Development Planning Project grant from Appalachian Regional Commission. This grant would be used to develop this place to insure the economic future of the Village and Town of Cuba; create a unified identity, stronger economic and social networks; create new jobs; and develop a more efficient community governance.

Mayor Taylor stated that he had called about the grant application that submitted last year to SMSI for a joint Town, Village and Allegany County salt/sand storage shed. It was denied last year, so the Mayor wanted to know what could be done to improve it to try again this year? He also talked to Bill Reemsten from Stuart Brown Associates on preparing anew grant application and he said he would for an estimated cost of \$3,000. The Mayor talked this over with Town Supervisor Deming. The deadline for this application is 12-14-07.

OLD BUSINESS: none

NEW BUSINESS: Trustee Sweeten stated that he had been approached by some members of the community on planting flowerbeds by I86. Trustee Sweeten feels that if this were to be done it should wait until the I-86 project is completed. There were some questions on if a permit is needed from the State and who would maintain these flowers once planted and if there are any stipulations by the State. This will be checked into.

Mayor Taylor asked at this time if there were any comments or questions concerning the possible sewer rate increase? With there being none. **A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY TO CLOSE THE PUBLIC HEARING ON THE SEWER RATE INCREASE. THIS PASSED. TIME: 8-48 PM.**

A MOTION WAS MADE BY TRUSTEE JOHN SHELLEY AND SECONDED BY TRUSTEE DAVID SWEETEN AND PASSED TO APPROVE THE 5% SEWER INCREASE TO BE EFFECTIVE WITH ANY BILLS AS OF 11-14-07 AND STARTING WITH THE JANUARY 4, 2008 QUARTERLY BILLS. THIS WAS PASSED UNANIMOUSLY.

Mayor Taylor asked if there were any questions or comments on the Bonding of the new pumper/tanker fire truck in the amount of \$170,000. **SUBJECT TO A PERMISSIVE REFERENDUM?** Being that there were none a **MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED TO CLOSE THE PUBLIC HEARING ON THE BONDING OF THE NEW FIRE TRUCK. TIME: 8:49 PM**

A MOTION WAS MADE BY TRUSTEE DAVID SWEETEN AND SECONDED BY TRUSTEE JOHN SHELLEY AND PASSED UNANIMOUSLY TO BOND FOR A NEW FIRE TRUCK IN THE AMOUNT OF \$170,000.

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

TIME: 8:51 PM

RESPECTFULLY SUBMITTED

D. WILSON