



VILLAGE OF CUBA

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Michele Miller - Mayor
Douglas Rettig Sr.-Trustee
Melissa Blake- Trustee
Steve Raub- Trustee
Thomas Taylor- Trustee

Corine Bump- Clerk/Treasurer
Lori Sweet- Deputy Clerk
Richard Hall- DPW Superintendent
Robert Thomas- STP Operator
Kevin Margerum- Code Enforcer

PRESENT: Mayor Michele Miller, Douglas Rettig, Sr., and Trustee Blake

ALSO, PRESENT: Corine Bump Clerk-Treasurer, Richard Hall, SPW, Lori Sweet Deputy Clerk, Dave Crowley Historian, Dave and Sue Krajna, Jerry and Ellen Scott, Linda Senefelder, Jennifer Burdsall, Kirk Keiser, Mike and Ellen Shawl, Katie Morris, Mike Miller, Norma Erickson, Sue Scott, and Hannah Kloss an eco gov. student from Portville Central School.

EXCUSED: Trustee Steve Raub and Robert Thomas STP Operator, both out of town, and Tom Taylor who is ill and recovering.

THE MAYOR OPENED THE MAY 13, 2019 MEETING WITH THE PLEDGE OF ALLEGIANCE at 7:00 pm.

GUESTS: Ellen Shawl addressed the board with her daughter and husband present. They are formally addressing the board and would like an acknowledgment in writing that the village is aware, and they are not violating any laws. They have taken the appropriate measures with the NYS Liquor Authority and obtained a license to sell beer and wine at their establishment. They are also licensed to serve alcohol within in a roped off section of their sidewalk that holds tables and chairs. They will stop serving alcohol a half an hour before they close. Discussion took place and comments from the guests attending thought it was a positive business move. They took two years to make the decision to serve alcohol at their business, and it's not a bar, it's simply a beverage choice at their establishment. Trustee Rettig Sr. cited the Village of Cuba code Chapter 73 relating to alcoholic beverages. He said the opening paragraph covers the intent

□ § 73-1 Intent; findings.

It is the intent of Cuba Village, New York, as an exercise of its police power, to promote the general health, safety and welfare of the residents and inhabitants of Cuba Village, New York, by enacting this chapter, since it is the finding of the Board of Trustees that the possession of open containers of alcoholic beverages by persons on certain public lands, except under controlled conditions, is detrimental to the health, safety and welfare of the residents of Cuba Village, New York, in that such possession contributes to the development of unsanitary conditions and the creation of nuisances, including but not limited to littering and raucous or other disorderly behavior. It is further the intent of the Board of Trustees that this chapter not be considered as a traffic regulation insofar as it relates to motor vehicles or the operation thereof.

Based on that description, TRUSTEE RETTIG SR. MADE A MOTION TO APPROVE THE KOPPER KEG RESTAURANT TO ENCLOSE AN OUTDOOR EATING AREA SERVING BEER AND WINE IF ORDERED, IN THE 90 DAY PERIOD OF THIS MOTION THE BOARD WILL RESEARCH HOW TO AMEND THE LAW CHAPTER 73 SO IT CONFORMS TO RESTAURANT OUTDOOR SEATING ON A SIDEWALK. TRUSTEE BLAKE GAVE A SECOND. ALL PRESENT IN FAVOR AND THE MOTION CARRIED.

Dave and Susan Krajna addressed the board about a penalty on their January 2019 water and sewer bill. The Krajnas called in February to ask why the clerk treasurer's office had not cashed their check. It had not come in the mail. We told them if we received the payment and the post mark was before 2/4/19 they wouldn't be charged a late fee. The payment arrived February 11, in the mail slot on a Monday morning with a stamp but no postmark or cancelled stamp. The Village Board reviewed the details and while the board is sympathetic to their unfortunate circumstance of the post office not cancelling their stamp on the letter mailed from Texas, there is no proof it was mailed by the February 4th due date so a penalty must be applied and is owed. Trustee Rettig Sr. did tell the Krajnas if they were able to obtain proof the payment was mailed on or before February 4, 2019 the board would reverse the late fee.

Norma Erickson spoke to the board as a concerned resident, tax payer, and property owner in the Village of Cuba. She had questions and concerns relating to disintegrating and dilapidated properties in the village of Cuba. She inquired about the process of cleaning up properties in disarray, and how property owners are fined. She stated she came in last fall to report a neighboring property being a mess and feels it is decreasing her property value. She said she has been "looking at the same mess for four years and something needs to be done, I am losing my mind, if I blow it will not be pretty." She feels it is disrespectful to the Catholic Church in the area, and the property looking like a dump needs cleaned up. Mayor Miller stated the code enforcement officer has been in contact with the property owner. The chain of command is being followed and steps are being taken to clean up many properties in the community. Property owners have thirty days to remedy a violation before a fine is applied. The last step, if nothing is done to resolve the issues is court proceedings. Norma said there are rodents all around because the properties are in such disarray and if the rodents come to her property there is going to be a bigger issue. Trustee Rettig and Mayor Miller assured Mrs. Erickson the Code Enforcement Officer is in the review process with the properties she is concerned about.

Kirk Keiser addressed the board asking them to consider legalizing UTV and LUV vehicles to travel village streets. There are eight other communities in Allegany county that have passed laws approving the passage of the vehicles. He presented the board with the copy of Andover's

law. The Town of Friendship has a law at Attorney Pullen's office in hopes it will be passed at a public hearing in June. He has spoken with business owners throughout Cuba and many are in favor. There are many restrictions, but Kirk feels that permitting the vehicles on village streets will generate revenues for both the Village and Town of Cuba. Trustee Rettig Sr. said that with two members of the board missing and it is affecting the community and resident's he would like a month to do some research and Mr. Keiser to come back in a month. Mayor Miller stated she was at the Town of Cuba meeting and one of the concerns was County Rd 20 and State Rte 305 not allowing UTV's/ LUV's to travel them. Kirk stated it would be landowner's permission and who you know to gain permission to pass. A state rd. or a county rd. can be crossed to gain access to a trail. He stated they would have to be insured and registered within the town or village they are passing through. In Andover a fee of \$25 is paid and the municipality sees that revenue and issues a registration sticker to apply to the machine, so authorities know it is permitted to pass through. He thanked the board for their time and will come back on June 10th.

Mayor Miller delayed the rest of the agenda so the guests in attendance could hear about the parking research done by the board regarding issues and complaints of parking on the Village streets. Trustee Rettig Sr. presented a power point presentation about the village streets and a few of the major safety concerns and passage concerns for emergency response vehicles.

Mayor Miller stated that the Village Office has continued receiving complaints about parking on streets labeled as a no Parking area in addition to people parking where the sign says "no standing". Deputy Mayor Rettig Sr. along with other Trustees started taking a look around the village and found quite a few of the lodged complaint area as an issue. Rettig Sr. stated that parking laws are laid out in Chapter 187 of the Village Code. 187-36 is very important. He stated there are 56 places in the village labeled no parking or no standing. Trustee Rettig Sr. showed a Power Point presentation with several parking areas of concern. There are areas of concern where the parking signs are not set with the law of the Village Code. Rettig Sr. stated the vehicle sizes have increased on many vehicles from mirror to mirror which could cause damage to a vehicle passing on a rd. listed as no parking and no standing. The board has had the parking spots on E Main St, in front of the library and the cultural center brought to their attention particularly because of the crosswalk being so close to the no parking sign. Members of the audience suggested the board to put stripes on the parking spot symbolizing no parking. The board explained it's not that simple, a public hearing must take place.

Parking on Prospect has become a major area of concern from citizens logging complaints because of residents continually parking in a no parking zone. There is not room for emergency vehicles to pass by. Rettig Sr. stated everyone on the street has a driveway they should be parking in the driveway. Parking on Grove St. was also brought up as several complaints have come in about people parking in no parking zones making passage of the road difficult and unsafe. Residents on the street present said they don't notice an issue and another community member that walks the street daily taking children home from school never sees an issue. Rettig Sr. said the board is aware that it's not an issue all the time but can be. A member of the audience questioned the board changing the local law and having to hold a public hearing and that it would be a cost to the Village. The board said a decision has not been made and they will continue their research, for a possible public hearing in June.

MINUTES: Discussion took place on the minutes of the 4-8-19 Board Meeting. The minutes were forwarded to the Board for review prior to tonight's meeting. **TRUSTEE DOUGLAS RETTIG SR. MADE A MOTION TO ACCEPT THE MINUTES AS WRITTEN WITH TRUSTEE MELISSA BLAKE GIVING A SECOND. ALL IN FAVOR AND THE MINUTES WERE APPROVED.**

BILLS: With no questions on bills and prior review of them by Trustee Rettig Sr., and Mayor Miller

Approval of Claims and Bill Payment: Abstracts Voucher #'s 20190605- 201906
General Fund \$8319.74- Water Fund-\$ 11,299.19 Sewer Fund- \$4368.13
TOTAL-\$23,987.06

A MOTION WAS MADE BY TRUSTEE MELISSA BLAKE AND SECONDED BY TRUSTEE RETTIG SR. TO PAY THE BILLS AS SUBMITTED. ALL APPROVED.

POLICE REPORT: On File in The Clerk's Office

BUILDING INS. /CEO/ZONING OFFICER: On file in the Clerk's Office

WWTP REPORT: Full report on file at the Clerk's Office

PUBLIC WORKS REPORT: SPW Superintendent Hall submitted the monthly report and the full report is on file in the Village Hall. Superintendent Hall read a Resolution for approval- #1-2019

Title: RESOLUTION APPROVING THE MUTUAL AID AGREEMENT BETWEEN THE MUNICIPALITIES OF ALLEGANY COUNTY, NEW YORK. Offered by: Allegany County Town Highway Superintendents Association WHEREAS, the Board of Trustees of the Village of Cuba hereby agrees to all Superintendent of Public Works to extend Mutual Aid assistance to another participating municipality within the Count of Allegany when requested to do so by such municipality in the time of abnormal snow or work conditions. This agreement is subject to the conditions listed in the written agreement.

Trees will be planted in front of the Tan N Deck, Kester's and Historical Society. There was a massive amount of brush out, and the crew borrowed New Hudson's chipper. E Main St and Bull St were milled today and the crew is ready to pave when it's time. There is a training 5/29/19 in Almond at the cost of \$25 per person to certify the Village Crew in Heavy Equipment monitoring which is mandated by the state. All DPW staff will attend. The certification will be for five years.

CLERK/TREASURER REPORT: Clerk/Treasurer Bump reported on the activities the previous month. Corine submitted the NYS 1.

The Retirement File has not been submitted due to the NYSLRS site still being down. Anticipated to be accessible 5/23/19.

Corine is attending the Leadership Allegany training at Houghton College. She thanked the board for allowing her to attend. She sent a thank you note to the Cuba Chamber of Commerce thanking them for sponsoring her.

The Health Insurance bill was paid, and one employee had an issue with his wellness card. After the Clerk Treasurer called the Bene-Care representative, it was found Blue Cross Blue Shield had accidentally missed reloading the employee's wellness card, and funds were added immediately with their apologies.

The union dues amount was paid. Their amount will increase again in June due to the union members increase in salary for the coming budget year.

The penalty was added to unpaid water and sewer bills totaling \$1,366.05 \$631.52 W and \$734.53 S. The money came in the mail Friday right before closing for the NYSERDA grant. The Clerk Treasurer made the transfer From A00-1000-2770 Misc. Revenues of \$808.00 to A005110-6 to replace the funds used to purchase the two Webasto Chargers and place the remaining funds \$4,192.00 in The Street Lighting account A005182-42 Streetlights.

The county will be calling sometime in the next ten days with the final tax roll assessment and Lori and Corine will go to Belmont to pick up the bills to be sorted, stuffed, and mailed by June 1.

The following transfers were presented by Clerk/ Treasurer Bump- **TRANSFER FROM- A001325-4 CLERK CONT. \$1,252.17 TO-A001325-1 CLRK TREAS PAYROLL**

TRANSFER FROM A001620-6 BUILDING REPAIRS TO A001620-4 BUILDING CONT. \$26.98

TRANSFER FROM A001420-4 LEGAL SRVCS TO GARAGE PAYROLL A001640-1 \$4,979.65

TRANSFER FROM A001989-4 TO A001640-42 GARAGE UTILITIES \$595.04

TRANSFER FROM A003620-1 SAFETY INSPECTION PAYROLL TO A007140-1 PARKS PAYROLL \$2,832.21

TRANSFER FROM A005010-5 STRTS ADMIN GAS AND OIL TO A005110-5 RDS GAS AND OIL \$641.57

TRANSFER FROM A005142-4 SNOW CONTRACTUAL TO A005142-5 SNOW GAS & OIL \$862.17

TRANSFER FROM A004042-4 PET CONTROL TO A001910-4 UNALLOCATED INS. \$1,080.40

TRANSFER FROM A003620-4 SAFETY INS. CONT. TO A007140-6 PARKS REPAIRS \$46.65

TRANSFER FROM A009060-8 HOSPITALIZATION TO A009040-8 WORKERS COMP. 633.50

TRANSFER FROM F008320-1 SOURCE OF SUPPLY PAYROLL TO F008310-1 WATER ADMIN PAYROLL \$219.79

TRANSFER FROM F008320-1 SOURCE OF SUPPLY PR TO F008310-11 PER SERVICE \$331.53

TRANSFER FROM F008320-1 SOURCE OF SUPP. PR TO F008310-1110 DEP CLRK- \$15.53

TRANSFER FROM F009060-8 HOSPITALIZATION TO F009040-8 WORKERS COMP \$633.50

TRANSFER FROM F009060-8 HOSPITAL TO F009730-7 FMHA INTEREST \$340.00

TRANSFER FROM G9010-8 RETIRE TO G008120-1 PER SERVICE \$1,738.34

TRANSFER FROM G008120-4 SAN. SEW. CONT. TO G008120-1100 DEP CLRK \$52.77

TRANSFER FROM G008130-11 TREAT AND DISP. OTHER TO G008130-1 STP PR \$6,284.18

TRANSFER FROM G008130-4 TO G008130-5 TRT. DISP. GAS & OIL \$58.33

TRANSFER FROM G009010-8 TO G009030-8 FICA-\$889.73

TRUSTTEE RETTIG SR. MADE A MOTION TO APPROVE THE TRANSFERS AS SUBMITTED WITH TRUSTTEE BLAKE GIVING A SECOND. ALL IN FAVOR AND THE MOTION CARRIED.

Lori is making for an easy transition. Village customers are pleasantly surprised to see her working at the village and some have stopped in to wish her good luck. Corine asked the board to please consider approving Deputy Clerk Sweet to be added to the bank account effective 6/1/19 at which time her sixty-day probationary period will conclude. Corine created a binder at Mayor Miller and Trustee Rettig's advisement, with the payroll instructions including screen shots and examples to make an easier process when and if she must complete payroll with Corine out of the office.

A letter was submitted by Allegany County Probation for restitution to be paid to the Village in the amount of \$1500.00 for damage to Village owned Property. The money will be collected throughout time by the County and mailed in payments to the Village of Cuba unless the convicted person is on Electronic Home Monitoring and then the balance will be paid in full first.

A MOTION WAS MADE BY TRUSTEE BLAKE TO ADD LORI SWEET AS A SIGNOR TO ALL VILLAGE BANK ACCOUNTS BEGINNING 6/1/19. TRUSTEE RETTIG SR. GAVE A SECOND. ALL IN FAVOR AND THE MOTION CARRIED.

Clerk/ Treasurer Bump thanked the board for their patience and understanding with closing the office unexpectedly on 3/27/19 and 3/28/19. Full report on file at the Clerk's Office.

COMMITTEE REPORTS: Trustee Rettig Sr. presented the power point presentation regarding community safety/ parking issues earlier in the meeting.

PARKS AND RECREATION/ PERSONNEL- The summer recreation staff has been hired. The rec program will begin 7/1/19 and run through August 9, 2019.

Trustee Rettig Sr. and Trustee Raub met with a Teamsters representative. The rep was supposed to submit guidelines to the board as some employees were upset about the gps gas and oil monitors in the village vehicles, but as of this meeting nothing was submitted. The crew does not want to be micromanaged. The mayor stated the board was protecting the Village of Cuba's fleet of vehicles and the Village dollars. Mayor Miller stated the rep will be getting in touch with her about the language and a memorandum of understanding.

All village employees will need sexual harassment training including the rec staff by October 2019. Discussion took place about downloading information from the NYS website and training all staff. Clerk Treasurer Bump will contact Angelica and Friendship to see what they are doing.

Historian Crowley made mention that his column in the Patriot will be the history of the rec program which originally started for girls only with a budget of \$500.

REFUSE- The solid waste rules are under review with the amount of containers of trash and covers over dumpsters. The board will review it further.

MAYOR'S REPORT: Mayor Miller asked that Genesee Parkway be closed 6/15/19 during Dairy Days from 11am- 5 pm. **TRUSTEE BLAKE MADE A MOTION TO CLOSE GENESSEE PARKWAY 6/15/19 FROM 11 AM TO 5 PM FOR THE DAIRY DAYS FESTIVAL WITH TRUSTEE RETTIG SR. GIVING A SECOND. ALL IN FAVOR AND THE MOTION CARRIED.**

Clerk Treasurer Bump will send notification to the paper and advise residents with a flyer left at their door and share on the social media page prior to the festival.

Trustee Raub will be attending a seminar about becoming a Compassionate Community on 6/13/19 at The Chautauqua Institution.

Mayor Miller will be speaking at the annual dinner on May 22, 2019 for the League of Women Voters.

Memorial Day will be observed 5/27/19 and a parade will begin at the elementary school and proceed through town ending at Genesee Park. There will be speakers and other events going on with a Community Picnic.

The Beautification Committee will be installing whiskey barrels and the crew is making risers for them, and planting in the coming days. Hydrangeas were planted around the clock and flag pole. Mayor Miller tabled further discussion/ adding goals to the white board until the full board could convene next month.

Grant season is upon us through the NYS grant Program. If infrastructure improvements are going to take place, the Village has to have an engineering study which costs money. The idea

is to take a grant season and apply for an engineering study grant, and when the snow thaws, they can begin the study if we receive the grant. It is the hope that mid 2020 the board could apply for a grant to be awarded at the end of 2020 to be applied in 2021. There is a grant through the DEC for a wastewater engineering study grant for \$30,000 and the Village would have to supply a 20% in kind service which can be applied in labor. The other grant is Community Development Block Grant (CDBG) for \$50,000 which has a \$2500 match for the Village Share as a storm water study. There is no in kind. Mayor Miller spoke with Robert and Rick, and at first Robert didn't think he needed anything but then he thought a skid steer would be a need. The grant wouldn't be for a skid steer but could lay the foundation. Mayor Miller asked the board for permission to pursue the grants. **TRUSTEE RETTIG SR. MADE A MOTION TO AUTHORIZE MAYOR MILLER TO PURSUE ANY AND ALL GRANTS WITH TRUSTEE BLAKE GIVING A SECOND. ALL IN FAVOR AND THE MOTION CARRIED.**

TRUSTEE RETTIG SR. MADE A MOTION TO ADJOURN THE MEETING AND IT WAS SECONDED BY TRUSTEE BLAKE. ALL APPROVED 8:52 PM.

Respectfully Submitted,

Corine Bump

Clerk/ Treasurer