



# VILLAGE OF CUBA

17 East Main St.  
Cuba, New York 14727  
www.cubany.org

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Office- (585)-968-1560 Fax (585)-968-9104 DPW Garage-(585)-968-2487

Michele Miller - Mayor  
Steven Raub-Deputy Mayor  
Jim Barnes- Trustee  
Elizabeth Miller- Trustee  
Thomas Taylor- Trustee

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

**PRESENT:** Mayor Michele Miller, Trustees Tom Taylor, Jim Barnes, Elizabeth Miller

**Via Zoom-** Steve Raub

**ALSO, PRESENT:** Corine Bump, Clerk/ Treasurer, Richard Hall DPW Superintendent

Also Via Zoom- Matt Zarbo- Barton and Loguidace

Mayor miller opened the March 11, 2021 meeting at 2:30 pm.

## **GUESTS:**

Matt Zarbo gave an update to all in attendance to the Village of Cuba Board regarding the next steps in the grant/ bond process for the water and sewer improvements for the Village of Cuba's aging infrastructure.

Matt Zarbo reviewed SEQR Part 2 and Part 3 with the Village Board. The Village Board discussed SEQR Part 2 and Part 3 and agreed with the documents as presented.

Tom Taylor presented the following resolution and duly moved that it be adopted and was seconded by Jim Barnes :

RESOLUTION DETERMINING THAT THE PROPOSED VILLAGE OF CUBA WATER SYSTEM IMPROVEMENTS PROJECT IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Village of Cuba (Village) is proposing the Village of Cuba Water System Improvements Project (Project), located in the Village and Town of Cuba, Allegany County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, the Village sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to be sent to other potentially “Interested” and “Involved Agencies” (as this term is defined in the SEQRA Regulations found at 6 NYCRR Part 617), indicating the Village’s desire to serve as the “Lead Agency” (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Village of Cuba Village Board serving as Lead Agency for the Project; and

WHEREAS, pursuant to the SEQRA Regulations, the Village of Cuba Village Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern:

NOW, THEREFORE, BE IT

RESOLVED that, the Village of Cuba Village Board hereby establishes itself as Lead Agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Village's knowledge of the area surrounding the Project, the Village of Cuba Village Board makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Village of Cuba Village Board, as Lead Agency, hereby directs the Village of Cuba Mayor to sign the FEAF Part 3 – Determination of Significance indicating that a Negative Declaration has been issued for the Project; this Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Michele Miller, Mayor: Aye  
Jim Barnes, Trustee: Aye  
Elizabeth Miller, Trustee: Aye  
Tom Taylor, Trustee: Aye  
Steven Raub, Trustee: Aye

The foregoing resolution was thereupon declared duly adopted.

Authorization of Bond Counsel Services for the Village of Cuba Water System Improvements Project- Trustee Steve Raub made a motion to hire Tim McGill as Bond Counsel for the Village of Cuba, NY with Trustee E. Miller offering a second. All in favor and the motion carried.

The Village Board discussed passing a Bond resolution for a potential water system improvements project.

Steve Raub presented the following resolution and duly moved that it be adopted and was seconded by Trustee Tom Taylor:

BOND RESOLUTION DATED MARCH 11, 2021 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF CUBA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of water system capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), has completed its environmental review and, on March 11, 2021, has duly adopted a negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF CUBA, NEW YORK (hereinafter referred to as the “Village”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Cuba shall undertake the acquisition and construction of water system improvements, including, without limitation, water main replacement, the installation of chlorine contact piping at the well buildings, reconstruction of treatment infrastructure, the installation of new controls and system monitoring equipment, emergency power a new water storage tank, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$7,300,000 and bond anticipation notes in

anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$7,300,000. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, presently estimated to be at least \$3,000,000.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of ad valorem taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Cuba.

Section 7. The faith and credit of the Village of Cuba, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes 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 obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Cuba together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or 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 within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Cuba, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

Michele Miller, Mayor: Aye  
Jim Barnes, Trustee: Aye  
Elizabeth Miller, Trustee: Aye  
Tom Taylor, Trustee: Aye  
Steven Raub, Trustee: Aye

Matt Zarbo left the meeting.

The Board entered the budget workshop and discussed the revenues and expenditures in the water and sewer funds. The board is satisfied with the work from the previous budget workshop in February regarding both accounts. Discussion took place about possible increases in the general fund which would require a local law requiring the override of the tax cap.

Discussion took place about fund balance and reserving money for a new street sweeper and sewer machine. After a lengthy discussion it was decided to set the tax levy at the allowable amount by the NYS Office of the State Comptroller at the April Budget Hearing.

Tom Taylor and Jim Barnes prepared requests for proposals to put the refuse contract out to bid as long as the Town of Friendship agrees.

**TRUSTEE BARNES MADE A MOTION TO ADVERTISE A CONTRACT TO COLLECT REFUSE AND RECYCLING WITH TRUSTEE RAUB OFFERING A SECOND. ALL IN FAVOR AND THE MOTION CARRIED.**

**OLD BUSINESS:** N/A

**NEW BUSINESS:** Discussion took place regarding the rentals of the Village owned park facilities this season. It was decided to update the application with "USE AT YOUR OWN RISK" as the parks will be cleaned for the weekend on Friday, but other people may have the park rented for the remainder of the weekend, and each renter will need to sanitize the bathroom and tables.

April 12, 2021 will be the next Village Board Meeting beginning with the Committee meeting at 6:30 pm.

**EXECUTIVE SESSION: N/A**

**TOM TAYLOR MADE A MOTION TO ADJOURN AT 4:00 PM WITH JIM BARNES OFFERING A SECOND. ALL IN FAVOR AND THE MEETING ADJOURNED.**

Respectfully Submitted,

Corine Bump

Clerk/ Treasurer