



VILLAGE OF CUBA

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

Office- (585)-968-1560 Fax (585)-968-9104 DPW Garage-(585)-968-2487 TDD/711
James Barnes - Mayor
Steven Raub-Deputy Mayor
Elizabeth Miller- Trustee
Jason Morrison- Trustee
Thomas Taylor- Trustee
Corine Bump- Clerk/Treasurer
Lori Sweet- Deputy Clerk
Kris Krzos DPW Superintendent
Kevin Margerum- Code Enforcer
Roman Cavalletti - Operator- STP
Randy Snyder- Deputy DPW Super.

**3/18/2024 Village of Cuba, NY BOARD OF TRUSTEES MONTHLY MEETING at 39 East Main St. Cuba
Circulating Library Meeting Room Cuba, NY 14727 6:00 p.m.**

PRESENT: Mayor Jim Barnes, Deputy Mayor Steven Raub, Trustee Tom Taylor, Trustee Jason Morrison

ALSO, PRESENT: Corine Bump Clerk/ Treasurer, Kristopher Krzos DPW Superintendent, Roman Cavalletti
Operator- STP; Residents Cindy Colley, and Dave Crowley.

EXCUSED: Elizabeth Miller employment engagement

GUESTS: Cindy inquired about what day is scrap metal pickup. It is the first Thursday of the month, and a
reminder will be on the water sewer invoices in April.

**MINUTES: TRUSTEE RAUB MADE A MOTION TO APPROVE THE MINUTES FROM FEBRUARY 20TH AND
MARCH 12TH MEETINGS- TRUSTEE MORRISON OFFERING A SECOND. ALL IN FAVOR AND THE
MINUTES WERE APPROVED.**

APPROVAL OF CLAIMS AND BILL PAYMENT: Prior to the authorization of the 3.18.2024 abstract, reports
were emailed and printed copies made available to the Board for in-person review and signoff.

**TRUSTEE RAUB MADE A MOTION TO AMEND THE LINES A001620-4-3200.00 A001989-41750.00 AND
G009060-8 \$2,500.00 USING FUND BALANCE FROM THE A FUND AND G FUND RESPECTIVELY WITH
TRUSTEE MORRISON OFFERING A SECOND. ALL IN FAVOR AND THE MOTION CARRIED. (G009060-8 IS
REFLECTING AN OVERAGE DUE TO A STAFF MEMBER OUT ON MEDICAL. AMOUNT WILL BE REPAID BY
STAFF UPON RETURN.**

**TRUSTEE RAUB MADE A MOTION TO ALLOW PAYMENT OF MARCH 18, 2024 ABSTRACT IN WHOLE
WITH A SECOND OFFERED BY TRUSTEE MORRISON, ALL IN FAVOR AND THE BILLS WERE PAID.**

A Fund- \$16,895.76 \$F Fund-17,364.28 G Fund- \$ 6,946.93 = \$41,206.97

POLICE REPORT: N/A

BUILDING INSP./CEO: N/A

CLERK/TREASURER REPORT: Clerk Treasurer Bump Will touch base with Southern Tier West to ensure the Village website gets updated with all the changes. In addition, she will check with Southern Tier IT Services as the phone message has reverted to the old message when leaving a message.

- The NYS 1 Reports, and the Retirement report all have been accepted and paid.
- AFR – has been sent to the requested funding agencies
- Lori received the Septage for January and February from Roman on Monday March 11, and she invoiced the dumpers for two months. She apologized on behalf of the Village, but she can't invoice, if she doesn't receive the reports for the revenue to be billed. There were three listed dumpers and two months totaled, \$942.00.
- Worked with the funding agencies, and Engineers for the Water Improvement Project – Still trying to get an accurate repayment/amortization schedule from Kelly Lathan at Fiscal Advisors
- Worked for countless hours on the 24.25 Budget
- Resolution for Highway needed
- Checks misnumbered- void check 17732- Sent to Logics financials for correction. Also void 17705 from B and R Green Trucking- Kris found an error and worked the owner to correct the invoice.
- Occustar Drug Alcohol –worked with info. for staffing.
- Water Sewer Invoices are being worked on to be mailed by 4/4/24
- 85 meters remain to change out.
- 55 Easements require 45 more to \$58.50 each easement to file.
- Working with Mayor Barnes on Digester Info.
- Worked with several entities for the Village Hall Mold/ Issue
- Working with David from A Deferred Compensation program. DPW received the presentation but five full time staff still remain- Resolution required to proceed.
- Worked with several for the changes in the election- Sent a mailer to every registered voter in the Village with an update back in February- about the change in location and why.
- I have been minimally absent due to pneumonia, many thanks to Lori for all her help.
- Election is tomorrow- 3/19/24- set up will begin at 11:00 am- more requirements this time around- due to location change
- Scanning Documents/ Paperless as much as possible? Looking for a grant- reducing paper usage as much as possible.
- Tax Cap, Constitutional Debt Limit- and NYSLRS with OSC.
- Thank you to Steve for picking up the election books
- Picked up envelopes for water/ sewer invoices to be mailed from Paper Factory and return address Stamps
- Working to get bank recs completed.

WASTEWATER PLANT REPORT:

Mayor Barnes spoke regarding an emergency situation with the digester-He stated that the main airline that feeds the diffusers is completely broken off of the digester broke so there is no aeration, Roman rigged up something to keep the plant from going septic and therefore declared an emergency. He spoke with NYCOM attorney R. Ruscito to ensure the Village is correct-Mayor Barnes wants to declare an emergency. Mayor Barnes feels the emergency will be the pumping of the tank and emptying it, but there is time to advertise for the work to repair the bid. Roman called Koester's and asked them for a bid, and he emailed it to the board, however, a new bid will be required with thirty days notice in order to use reserve for repairs funds, if the Board decides to proceed. Mayor Barnes asked the Board to consider a resolution allowing the emergency removal of sludge hauled by Cyrco Construction. Roman stated that he is unsure why there is confusion with the allowed sludge hauler, and Clerk Bump stated

currently The Village of Cuba, Maybe Enterprises, Casella Waste Management of Olean are on the sludge haulers list until May 15, 2024, and Ann Santell had also added Cyrco as an allowable hauler through May 15, 2024 but the sludge hauler permit needs renewed by May 15, 2024 and it will be for two years. Roman stated he spoke straight to the people that schedule the sludge to be received and he said Cyrco is the only hauler on the permit, however The Village records from Casella Special Waste, list otherwise, and must be renewed by 5/15/2024.

The Board agreed to the emergency resolution removing the sludge hauling, and the cleaning of the tank from procurement and it is included in these minutes of record. The repair of the digester will go out to bid as soon as Clerk Treasurer Bump receives the information from the STP. She reminded the Board and STP operator that the information should be scripted and “apples for apples” and the non-collusive information will be added as well. Roman stated he couldn’t begin to tell Clerk Treasurer Bump what is required of the repair, but if he calls Koester tomorrow, they could be to the Village Plant in two weeks and the repair will take them 2 to 3 days. Dave Crowley left the meeting at 6:50 p.m.

Resolution #3-2024

March 18, 2024

Title: RESOLUTION DECLARING AN EMERGENCY EXCEPTION TO COMPETITIVE BIDDING FOR THE RESORATION OF THE AEROBIC DIGESTER AT THE VILLAGE OF CUBA, NY WASTEWATER TREATMENT PLANT.

Offered by: Mayor Jim Barnes, Whereas The Village of Cuba, NY Board of Trustees hereby allows Mayor Jim Barnes to declare an emergency exception to competitive bidding for the restoration of the aerobic digester at the wastewater treatment plant for the emergency cleaning and sludge hauling of the tank using Cyrco Construction, since the main air line to the diffusers has broken and is submerged in the bottom the tank. Without aeration this presents a threat to health, safety, and proper operation of the wastewater plant. Affective March 18, 2024.

Roll Call Vote-

Trustee Steve Raub- Aye

Trustee Tom Taylor- Aye

Trustee Jason Morrion- Aye

Mayor Jim Barnes- Aye

Clerk Treasurer

Crine D. Bump

Seal



March 2024 Meeting Report

Roman Cavalletti

3-18-24

Roman stated that he sent out an email to the Board a few days ago about using Cyrco, and the cost difference between Cyrco and Maybee Enterprises- and wanted to know if he can proceed with Cyrco. Trustee Morrison asked if Roman can legally proceed using Cyrco, and he stated all the paperwork is in order and he already scheduled Cyrco to haul sludge tomorrow 3/19/24, he said it could be canceled but he needs to get it on the books. Trustee Raub inquired about the best value and Roman stated yes, and they are also a local business, so keeping the work local is good, as well as they have dumpsters, so that works well for him, because with the dumpsters sitting there he can just load them up without having to pay Cyrco for sitting there while he loads it. The landfill will only allow one load a day/ per week this week and he stated they might be allowed two loads a day the following week. A guy from Cyrco stopped in to speak with Roman today and he stated he is figuring ten loads total. Roman stated that Cyrco is cheapest and it should take two weeks. He stated the tipping fee also changed drastically and is now \$90, but nothing can be done about it with no place else to take it to. Jamestown and Bath are a lot farther to have it transported to.

Clerk Treasurer Bump inquired as to what Roman thought the total cost would be for what remains in the budget, and Roman stated he couldn't tell us. Trustee Morrison inquired about the cost per load, and Roman said each load would be 16 to 18 tons per load at \$90 per ton, approx. , he figures about \$13,000 total, because the beginning sludge will be very heavy and wet, but the later loads will be dry and weigh less. Trustee Morrison guessed at the cost Roman gave, maybe \$15,000 to \$16,000 total. Roman is hoping it will cost less than that. The parts from Koester cost around \$30,000 with the cost to make the repair expected to be around \$30,000 as well. There is \$80,000 in Fund Balance that is reserved for repairs that can be used when the process is followed legally, in addition to some available sewer fund balance.

Roman inquired with Superintendent Krzos about using Oakley Sortore's mud pump or renting a mud pump. Discussion took place and Superintendent Krzos stated he had a concern of cross contamination the pump with the use in the sewer. He inquired about the use of a centrifical pump, but Roman stated he thinks it will get plugged because suction is needed for the process. Roman stated he can rent the pump for \$500 a month. He asked Superintendent Krzos if he bought one for the Water Inventory, if the Sewer Plant could use it, but Krzos, stated it would be used for water and cross contamination would cause a problem. Roman stated there is a company called ADMAR where one can be rented for \$90 a day, or \$500 a month, or it could be purchased for \$2500.

Superintendent Krzos, has three quotes prepared as he was planning to ask the board to consider authorizing the use of ARPA funds to purchase a Diaphragm (mud pump) for the water inventory this evening. The cost is around \$1,850 but does not include hoses. Roman stated that the information Kris has prepared is what Oakley Sortore from Friendship feels this particular pump will work for the sewer plant as well. (Three quotes on file from SPW Krzos to pair with invoice from ADMAR once received)

Trustee Morrison inquired as to how long it will take to empty the tanks, and Roman said a couple of days. Some sort of a pump and a firetruck will be needed because of the solids, hose and pump, hopes

and pump, hose and pump for days. Roman guesses a week, so renting the device for a month would be cost effective. Roman said the pump will be needed as soon as possible and he wants to have it on hand. He feels renting it for two months would be wasteful, Krzos stated he Roman could use it for many things at the plant, including cleaning out the primaries at the plant. Roman said renting a septic truck will cost \$175 an hour, and since Kris already followed the procurement policy for the possible purchase for the water inventory, he asked the Board to consider allowing the purchase at the sewer plant also. Roman asked if there is a better deal for the Village if two are purchased, and how much hose Kris had quoted. Kris only had 15- 20 feet and a three-inch hose. Roman thinks he will need about fifty feet of hose.

The DMR for the month of January 2024 was sent in, and all was within limits.

Blower for digester, (Pipe is gone)

Labor for installation of digester parts, (Questions)

Fuel for generator- Roman stated he has \$1500 in the fuel budget for the STP and he is going to have the fuel tank filled. Clerk Treasurer Bump asked if the fuel can be off road fuel, and Roman stated it is off road and it is red. She stated the tank was filled last year and the account was over budget. He states the tank is $\frac{3}{4}$ filled, and he will just top off the tank, in case there is a one month power outage, it meets the procurement policy requirements with Rinker as the fuel provider, so he is filling the tank.

Clerk Treasurer Bump asked if the invoice for the UV bulbs came, and he said it did not, and she asked for the other UV quote that he was going to email last month the day after the meeting and he said to disregard. Roman left the meeting at 7:00 p.m.

DPW SUPERINTENDENT REPORT:

Superintendent Krzos received a check back from B and R Green trucking as the Village was overcharges- void check 17705- voided for \$2,242.56 and reissued for \$1,144.1. Clerk Treasurer Bump will void the previous issued check and issue a new one 3/19/24 with the corrected amounts.

Trustee Taylor made a motion to use ARPA funds and allow for the purchase of the Bobcat Jackhammer for \$8,800 with trustee Morrison offering a second. All in favor and the motion was carried.

Discussion took place regarding the DPW's presentation that was received by NYS Deferred Compensation. The Board agrees that all staff should receive the presentation and allowed to participate, not just the DPW staff.

Resolution #4-2024 Village of Cuba, NY Adoption of the NYS Deferred Compensation Plan

Adoption Of The State of New York Deferred Compensation Plan

WHEREAS, the Village of Cuba, NY Board of Trustees wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for voluntary participation of all eligible employees; and

WHEREAS, the Village of Cuba, NY is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law* and

WHEREAS, the Village of Cuba, NY Board of Trustees has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Village of Cuba, NY by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Village of Cuba, NY hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Village of Cuba, NY Board of Trustees are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the 18th day of March, 2024, at a meeting of the Village of Cuba, NY Board of Trustees.

I hereby certify that the Village of Cuba, NY is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnesseth by:

(Name of Local Public Employer)

By:

Courne D. Bump 3/18/2024 Village of Cuba, NY
Clerk Treasurer

Roll call vote: Mayor J. Barnes - aye
Trustee Steve Raab - aye
Trustee Jim Sayler - aye
Trustee Joan Morrison - aye

Consent of The Deferred
Compensation Board of the
State of New York to
Local Public Employer's
Participation

By: _____



Discussion took place regarding the Village's amazon account. Deputy Clerk Treasurer Sweet and SPW Krzos will be added to the accounts as authorized purchasers since they have credit card privileges, and Clerk Treasurer Bump will retain the usernames and passwords to comply with the Village's records keeping policies. Clerk Treasurer Bump will also order SPW Krzos a credit card and Mayor Barnes after the April 2024 board meeting.

Discussion took place regarding the status of the Village's vehicle fleet. The red truck needs to be red tagged as it is unsafe. SPW Krzos does not want the staff to use it for blacktopping. SPW Krzos has been working with companies and also replacing the smaller trucks. The Board agrees that replacements, and repairs are necessary for the fleet and it will take two and a half years to even get them because obtaining the vehicles, and parts are a few years out everywhere. Right now it makes sense to spend the money to fix up the old truck.

The Board can use Sourcewell to purchase the trucks, if SPW Krzos can come up with the dollar amount, The Board can appropriate the money and set it aside to make the purchase/ repair. A resolution will be required to appropriate the funds. The smaller trucks are one year old for purchase. SPW Krzos will compile everything and update the Board at the April meeting.

The annual Mutual Aid Resolution was discussed and presented as follows.

RESOLUTION NO. 5-2024 DATED March 18, 2024

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 Village of City Board of Trustees of the _____ hereby
(Governing Body) (Town, County, City, Village, etc.)

agrees to allow SPW Kristopher Krzoo to
(Town Superintendent, Commissioner of Public Works, Etc.)

extend Mutual Aid assistance to another participating municipality within the County of Allegany when requested to do so by such municipality in time of abnormal snow or work conditions. This agreement is subject to the conditions listed in the written agreement.

Supervisor/Mayor Barnes - aye
Councilman/Trustee Raub - aye
Councilman/Trustee Taylor - aye
Councilman/Trustee Morrison - aye
Councilman/Trustee - Miller - absent
Clerk Corine ElBoye

(Official Seal)



COMMITTEE REPORTS:

Personnel: The personnel committee agreed that cell phones can be purchased for The Clerk's Office and The STP (on call staff) and the cell phone policy will need reviewed and updated to add the tablets at the DPW as well. They will review the cell phone policy and make changes prior to the April meeting.

The Personnel Committee is awaiting the deadline for the job applications to be submitted of 3/28/24 hiring for a laborer.

MAYORS REPORT:

Mayor Barnes updated the board on the toxic levels of black mold at the Village Hall. The initial company that came out to inspect the office, to remediate the Village Hall- says they have to test for lead because of there is lead in there, a licensed lead remover is required to remove that in addition to the mold. The lead inspector said that doesn't make sense and the EPA passed a law a few years ago. The lead would need to be encapsulated. If there is lead paint on the lath and plaster it cannot be

encapsulated it has to be removed, and it doesn't make sense. He told Mayor Barnes that he can come out for the cost of \$1,200 and inspect for lead. It was suggested to speak with SERVPRO out of Hamburg. They are coming Wednesday March 20, 2024 between 2:30 p.m. and 3:00 p.m. They will call Mayor Barnes before they get to the Hall so he can meet them there. There has been no estimate for removal provided from anyone. Mayor Barnes stated it's frustrating and slow moving.

Mayor Barnes has tried contacting Ron Hull the Village Attorney again to proceed with a new attorney, but he has not heard back yet about anything and was trying to obtain a date for when Ron Hull will no longer be used.

Cuba- Rushford/ Elm Street Academy has received their updated invoices delivered in person by Mayor Barnes and they will make payment by the end of March.

EV Charging Stations- The Board once again discussed placement on East and West Main St. The Village will maintain them with the Chamber of Commerce offsetting the cost by Half. **TRUSTEE RAUB MADE A MOTION TO APPROVE THE PURCHASE AND INSTALLATION OF TWO ELECTRIC VEHICLE CHARGING STATIONS WITH THE CUBA CHAMBER OF COMMERCE PAYING HALF OF THE COST TO PURCHASE, WITH TRUSTEE MORRISON OFFERING A SECOND.** Further discussion took place-The NYS DOT said they will place a sign on I-86 advertising the chargers. Trustee Taylor inquired about the parking spaces timeline-losing two spaces on each end of town. The Board agreed that a sign could be posted allowing non EV vehicles to park there certain times of the day/week. The parking for the EV vehicles will be paid for by the customers with the EV vehicles. Further signage can be determined at another time. **ALL IN FAVOR AND THE MOTION CARRIED.**

Mayor Barnes has been speaking with Julie Schmidt and it has been suggested the Village of Cuba, NY hire a grant writing firm. The Village used a grant writer a few years ago- called Rotella. Mayor Barnes will look into it further, and contact Rotella. The Village used them for the Main St. grant. Lionel Legry is interested in pursuing more grants. Matthew Zarbo is also interested in helping to write for grants for the Village. Mayor Barnes has discussed possibly working with the Town of Cuba, NY with Lee James- and there is the possibility of obtaining a \$400,000 grant to pursue the building of a new building. There is the option of totally remodeling the current office. Trustee Taylor mentioned that he received a proposal from Rural Architecture for the feasibility study at the cost of \$7,000- \$8,000, so that route is an option as well. The Board agreed that this topic falls under the emergency declaration and Mayor Barnes can pursue the options.

Mayor Barnes stated that Trustee Miller is considering resigning due to lack of availability due to her work profession. Mayor Barnes spoke with Clerk Treasurer Bump- and Trustee Miller will just need to submit an official resignation letter signed and dated. He will wait for an official word, but he asked the Board to consider any available residents that might be interested in a role on the Village Board.

Mayor Barnes inquired who will be conducting interviews for the laborer position/ heavy motor equipment operator- as the Personnel Committee consists of Trustee Raub, and Trustee Miller. He is willing to interview along with SPW Krzos. Clerk Treasurer Bump reminded the Board that any potential hire will need to pass the pre-employment physical and Drug and alcohol testing with all required paperwork submitted and reviewed before starting work. The staff is primarily DPW working, with minimal use at the STP as needed.

Discussion took place- regarding the STP second operator, and has been tabled for now.

Trustee Taylor inquired about the fund balance policy, and how it correlates with the A fund balance and the possibility of the tax per thousand and either raising or not raising taxes. Clerk Treasurer Bump updated the staff on the current year's appropriations and the compliance with the current fund balance policy. Clerk Treasurer Bump is waiting for an update from EFC for better budget numbers for the Water Improvement Project repayment.

OLD BUSINESS:

Street Sweeper- So far the Street Sweeper is not ready for delivery. More information to come. Trustee Morrison is in weekly contact with Ken Tronetti. He is hoping for another update before the next Budget meeting.

Reminder- a sandwich board needs to be placed in front of both the village hall and The Baptist Church for the election on 3/19/24 with the change of location- the inspectors will be paid \$15 an hour and are prepared for Tuesday's Election.

Instead of paying ACME Business machines to move the old postage meter, Mayor Barnes has decided the Postage meter update will be proceeding as presented with the Sourcewell contract, and there will be a \$400 charge to move the printer from the Village Hall.

NEW BUSINESS: N/A

Trustee Barnes thanked Deputy Mayor Raub for his six years of service to the Village of Cuba, NY. All present thanked Raub as well and wished him well on his future endeavors.

TRUSTEE TAYLOR MADE A MOTION TO ADJOURN THE FEBRUARY MONTHLY MEETING AT 8:23 P.M. WITH TRUSTEE MORRISON OFFERING A SECOND. ALL IN FAVOR AND THE MEETING ADJOURNED.

Respectfully Submitted,
Corine Bump Village of Cuba Clerk/ Treasurer