

**Hearing for Cannabis Regulation**  
**Of the Town Board of the Town of Cuba**

Held at the Cuba Library, 39 E. Main St. Cuba, NY 14727

**Present:**

Supervisor: Lee James  
 Council Persons: Melodie Farwell, Michele Conklin via phone, Jacob James  
 Also Present: Nancy Orcutt, Town Clerk, Chad Smith, Hwy. Supt.  
 Absent: Dustin Burch, Police Chief, Aaron Appleby, Ambulance Administrator,  
 Michael Searle, Dog Control Officer

Supervisor James called the meeting to order with the Pledge of Allegiance at 6:30 pm.

James explained that the purpose of the meeting is to help determine whether the town should opt-out of having retail sales and consumption establishments within the town.

Several people voiced their opinion of opposition to allow these types of businesses. Concerns of policing and clientele seem to top the list. Brandon Little expressed interest in going forth with allowing dispensaries. He spoke about the revenue increase for the town, especially since so many surrounding municipalities are opting out, traffic would be directed to Cuba. He feels it would boost our current businesses as people would tend to shop and dine here. James feels the decision should not be based on revenue. Farwell mentioned that the town already has other businesses considered unhealthy and under regulations by the State, such as liquor stores, tanning salons, etc. She feels it is above the paygrade of a town board to decide the regulations of this. The village took no action at their most recent meeting. There was some speculation as to what the Seneca Nation would do.

The town can opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses from locating within the town. However, the town cannot opt-out of adult-use legalization. Possession and use of cannabis by adults 21 years of age or older is legal in New York State. The town must pass a local law by December 31, 2021 if their intent is to opt-out. If the town stays silent, they are automatically included. The town may choose to allow only dispensaries or only consumption lounges or allow both. If the town were to opt in, we are always in, but if we opt out, we can always opt in later. In the event the town opts out, there will be a 45-day public referendum where this gives the opportunity for citizens to circulate a petition to bring the decision to a public vote.

There seems to be a general feeling that the Federal government will end up regulating this in the future and what municipalities decide, may be changed anyway.

At 6:59 pm, Conklin motioned to adjourn, followed by Farwell's second. All in favor.

**Regular Board Meeting**  
**Of the Town Board of the Town of Cuba**

Held at the Cuba Library, 39 E. Main St. Cuba, NY 14727

**Present:**

Supervisor: Lee James  
 Council Persons: Melodie Farwell, Michele Conklin via phone, Jacob James  
 Also Present: Nancy Orcutt, Town Clerk, Dustin Burch, Police Chief, Chad Smith, Hwy. Supt.  
 Absent: Aaron Appleby, Ambulance Administrator, Michael Searle, Dog Control Officer

Supervisor James called the meeting to order with the Pledge of Allegiance at 7:00 pm.

**Public Comments:** None.

**Board Comments:** Farwell noted the absence of Ken Hintz who passed away. Ken was always a welcomed guest to the meetings with his opposing comments and jesting. He will be dearly missed. She also expressed pride in the recent Small Town Christmas presented by the Chamber and all the downtown businesses. It displayed that small town/hometown touch Cuba always presents.

Conklin passed on comments about our new assessor, Ryan Reed. With senior citizens needing to submit paperwork for tax exemptions, it was noted that he is knowledgeable, kind, understanding and patient. Conklin also said she may be stepping down as a board member due to health issues.

**Supervisor Comments:** James mentioned Wreaths Across America is this weekend and 550 wreaths will be placed on veteran's graves. The project was headed up by Cuba's own Mary Lindquist, and with so many volunteers, shows great success in its first year in Cuba. There will be a ceremony at starting at the Cuba Cemetery at noon on December 18. There will be short speeches made by a few local dignitaries. The group will proceed to the Catholic Cemetery and on to the cemetery on Smith Road. This is the only event of this type in Allegany County.

**Minutes for 11/09/2021, Supervisors Report for November & General & Highway Abstracts for December:**

When asked, board members responded yes, they had reviewed the minutes, reports and abstracts.

**The Supervisor's Report** showed the general fund received \$35,958.71. The highway fund received \$52.81. Disbursements include \$169,502.02 for general and \$86,256.23 for highway.

**The December Abstract** dispersed \$32,203.26 from the General Fund and \$45,949.86 from the Highway Fund. On the motion of Farwell and second from J. James, the reports were accepted as presented.

**Clerk Comments:** The recent local elections have been certified with Allesia Heslin as Town Clerk, Jacob James, Michele Conklin as Council Persons, and Daniel McGraw as Council Person to fill a vacancy.

Orcutt will have the new Clerk, Allesia Heslin added to the Town Clerk bank accounts at Community Bank, Orcutt will be removed as of January 1, 2022.

Orcutt thanked the Town for the opportunity to serve for the last 20 years. It is quite an experience.

**Police Department Comments:** In the month of November the department conducted 2 traffic stops, 3 in the Town, 2 in the Village, 9 on the Lake, 0 on I-86 for a total of 14 uniform traffic tickets issued. 12 motor vehicle accidents occurred, 8 in the Town, 1 in the Village, 1 on the Lake, and 1 on I-86. There were 126 calls for service.

The department received a \$15,000 grant for IT equipment. Burch discussed quotes for a new vehicle. After a short discussion, Conklin motioned to purchase a Dodge Durango for \$35,068. Farwell seconded it. All in favor, passed.

**Ambulance Comments:** The Cuba Ambulance Service responded to a total of 13 calls to service in November of 2021. 4 of those calls were taken to Olean General Hospital, 3 were taken to Jones Memorial Hospital and 4 were sign offs, 0 was mutual aid, 0 were standby, 0 were taken by Mercy Flight and 2 were DOA. 6 of these calls were critical care with Cuba handling 4 and Olean 10/MTS handling 2. 7 of these calls were in the Village of Cuba, 6 were in the Town of Cuba, 0 were on the lake, 0 was mutual aid to Friendship, 0 was mutual aid to Clarksville, 0 were to New Hudson and 0 were on I-86.

-Two new applications for membership. Robert Gadd and Terry Forward. Farwell motioned to hire both. Conklin seconded it, all in favor, passed.

-I have given out some more applications, will be getting those back for next months meeting hopefully.

-I am Responding app is up and running for our free trial.

-As you are aware, COVID has hit this area quite hard. I would say that at least half of our calls fall under the precautions of COVID. MTS is handling most of these calls. Olean and Wellsville hospitals are near capacity, and

at times, won't even accept ambulances. Other times, ambulances are waiting at the ER 1-2 hours to drop off a patient.

**Highway Comments:**

- Blacktop patched
- Plowed snow nine times
- Pulled shoulders

**Equipment Repairs**

- Put leaf pack in 2015 Freightliner
- Put leaf spring in Peterbilt
- Put sander chain in Peterbilt
- Painted wings

Smith discussed ordering a new 10-wheeler which would be payable in 2023. Due to lack of availability and cost increases, he would like the board to consider the purchase. It would run between \$250,000 and \$260,000.

He also asked to purchase a brush head for the chipper and a Harley Rake with some of the CHIPS money. J. James motioned to allow the purchase, seconded by Conklin. All in favor, passed.

**East Main St. Culvert:** The Village will submit a resolution to the County for replacing the culvert with a bridge. The Village bears the building expense and the Town will maintain it. It will be poured concrete and bridge decking. Once the resolution is completed, it can be accepted by the Town at the October meeting.

**Sewer Committee:** No report

**Facilities:** Two doors have had the electronic lock replaced.

**Dog Control Comments:** Michael Searle has resigned his appointment as of the end of the year.

**Code Enforcement Comments:**

Wrote permits for:

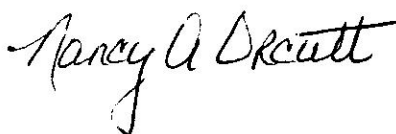
- 7-foot height fence
- Roof replacement
- New single dwelling
- Pole barn
- Inspection and C. of O. certificate
- Addressed concerns of work being done on the Lake

**New Business:**

**Findings on Local Opt-Out of Marijuana Retailers and Consumption Sites Law Hearing:** A brief discussion took place on the subject. There are still many factors the Board is questioning. More time and thought will be put into this and a final decision will be made at a special meeting to be held on December 30, at 5:30 pm at the library. This meeting will also be used to pay the final bills for 2021.

At 7:58 pm the meeting was adjourned, Farwell motioned to adjourn, seconded by Conklin. All in favor.

Respectfully submitted,  
Nancy A. Orcutt, Town Clerk



Special Meeting of the Town Board  
of the Town of Cuba  
Cuba Circulating Library 39 E. Main St., Cuba NY

The meeting was called to order at 5:35 pm with the Pledge of Allegiance.

Supervisor James stated the meeting was to pay any bills left for 2021 and to adopt a local law concerning the ban of on-site consumption of cannabis.

Abstract #14 has a total of \$17,359.26 for the General Fund and \$9,159.20 for the Highway Fund. With no questions or comments, Farwell motioned to accept as presented. J. Sweet seconded. All in favor, passed.

A list of line transfers to balance the budget for the end of the year was discussed. Highway Supt. Smith questioned his portion of the transfers. L. James will look into it. Meanwhile J. James motioned to approve the transfers seconded by Conklin. All in favor, passed.


Next on the agenda is the adoption of Local Law No. 2 of 2021, A local law prohibiting the use of cannabis at on-site locations. After some discussion, Farwell made the motion to adopt the law, seconded by Conklin. A roll call vote shows:

Farwell	Yea
Conklin	Yea
J. James	Yea
L. James	Yea

Passed with a unanimous vote.

With no further business to discuss, Farwell motioned to adjourn. Conklin seconded the motion, all in favor. Meeting adjourned.

Respectfully submitted,

  
Nancy A. Orcutt, Town Clerk