

The regular monthly meeting of the Cuba Lake District Board of Commissioners was held on Thursday, May 9, 2002, at the Cuba Town Hall, 15 Bull Street, Cuba, New York

Deputy Chairperson Lynn Sweet called the meeting to order at 7:00 p.m. and asked the secretary to call the roll:

COMMISSIONERS PRESENT:

**Walter Lang
Wayne Schlifke - Absent
Lynn Sweet
Erick Laine - Excused
Jeff Bradley**

ALSO PRESENT:

**Treasurer Andrew Lindquist was excused
Secretary Pam Konieczka
Attorney John M. Hart, Jr.**

GUESTS:

**Jim Mostacato
Ron Reichman
Mr. McCutcheon**

Nick Abraham

-Mr. Abraham stated that he was there representing the Yacht Club and has a request to have trees on the property taken down, that B&S Disposal is stating they don't have to pick the garbage up at the Yacht Club

unless he receives a call from one of the Commissioner's (Commissioner Sweet will make the call), and that the Yacht Club has received a permit to, if necessary, shoot geese that cause problems at the property of the Yacht Club.

Tom & Deb Wetherell

-Mr. Wetherell attended the meeting in regards to Lot #301 that he has just purchased. He stated that he was not aware that there were procedures to abide by when doing certain construction at your property.

Commissioner Lang gave an overview of what is required of a cottage owner when wanting to do changes to their property.

Karen Perrigo

-Ms. Perrigo showed the Commissioners a survey map of the property line that she wants to be correct. She stated that Bob Stapf needs a letter from the District with their approval in order for him to change his records. Attorney John M. Hart, Jr. will work with Karen and submit the letter.

Lt. Kemp with the Allegany County Sheriff's Department

-Lt. Kemp thanked the District for their efforts in finally gaining accessibility to the Ranger's Cabin. Commissioner Sweet asked if there was a phone in the cabin. Lt. Kemp said no, but if there were any problems that they needed to know about, that they could call the Sheriff's Department directly at 268-9200.

-Lt. Kemp gave an update on the condition of the Ranger's Cabin. The following items are what he mentioned:

-The steps leading down to the cabin have been replaced.

-They plan to fix the porch.

-Some plumbing repairs have been done.

-The electrical service from the cabin to the boathouse has been replaced.

-The boatlift has to be replaced (there is no funding currently for that right now).

-There has to be some maintenance to the dock.

-Some areas of the boathouse need to be repaired.

-Lt. Kemp felt that the Ranger's cabin will be functionable by Memorial Day weekend.

-Commissioner Sweet asked what presence the Sheriff's Department would have this upcoming season. Lt. Kemp said that there would be patrol on Friday evenings from approximately 5:00 pm to 9:00 pm., Saturdays from approximately noon to 8:00 pm., and Sundays from approximately 10:00am to 6:00 p.m. Guest, Jim Mostacato asked if there would be any patrolling after dark. He is concerned of skiers being on the lake after dark. Lt. Kemp stated that they would try to add patrols.

-Commissioner Sweet asked if there were any particular areas of safety on the lake that they would be watching for. Lt. Kemp stated that they will watch for the following:

- Children under 12 years of age must be wearing a life jacket on any water craft.**
- Anyone else in a boat that is over 12 years of age, must have a life jacket available on the water craft.**
- Anyone under 27 years of age has to have taken a boater safety course in order to operate a water craft.**
- Speed limits for boats are 25 mph after dark and 45 mph during the day.**
- Lt. Kemp stated that there would be boater safety courses available for the public to take on June 1 and June 8 at the Allegany County Building. The course is free, but there is a fee to obtain the certificate.**
- Guest Ron Reichman stated that the Cottage Owners Association is sponsoring a course the week after the 4th of July.**
- Lt. Kemp stated that anyone who has taken a boater safety course within the last 10 years, won't have to take it again.**

APPROVAL OF MINUTES:

Motion was made by Commissioner Lang to accept the minutes of the April 11, 2002 meeting, seconded by Commissioner Bradley. All in favor 3 yes, 0 no.

MOTION CARRIED.

TREASURER'S REPORT:

Following review of reports for both March and April circulated by the Treasurer, Commissioner Bradley moved to accept the Treasurer's reports for filing, seconded by Commissioner Lang. All in favor 3 yes, 0 no. MOTION CARRIED.

**Following presentation of the List of Claims, Commissioner Lang moved to pay the accounts as listed, seconded by Commissioner Bradley. All in favor 3 yes, 0 no. MOTION CARRIED.
AMOUNT: \$ 8,692.72**

CORRESPONDENCE:

See attached Index of Correspondence.

COMMITTEE REPORTS:

1. BUILDING & LOT IMPROVEMENTS - Walt Lang, Jeff Bradley

Bigham - Lot #60 - received written approval from OGS.

Pohlig - Lot #271 - request to put in a water collection ditch across the back of the property line, to replace the sluice pipe and to replace the retaining wall leading to the garage as well as to shore up the garage itself. The District gave approval. Pending approval from OGS.

Mountain - Lot #58 - request to increase the height of existing breakwall. The District gave approval. Pending approval to OGS.

Yacht Club - request to cut trees down in danger of power lines. The District gave approval. Pending approval from OGS.

2. BUDGET & FINANCE - Jeff Bradley, Lynn Sweet, Andy Lindquist, ex officio

Begin work on 2002 budget, Commissioner Bradley and

Sweet will begin work on this.

3. PARK MAINTENANCE - Wayne Schlifke, Walt Lang

Commissioner Bradley stated that he met with Dana Harvey to discuss the weed cutting situation. Dana will put the weed cutter in the water on May 13th.

Commissioner Bradley expressed that the Commissioners need to come up with a fee schedule to pay Dana for the use of his truck and to meet with him to discuss how the weed cutting will be handled this year. Maybe Dana needs to hire a part time person to help out.

Commissioner Sweet suggested that Dana attend the June meeting or if the weeds need to be cut prior to the meeting, to have Commissioner Bradley meet with him again and come up with a plan.

4. WATER QUALITY-Erick Laine, Lynn Sweet
Nothing to report.

5. STATE RELATIONS COMMITTEE - Erick Laine, Lynn Sweet

A. Seneca Nation of Indians Litigation Update

Attorney John M. Hart, Jr. reported that there have been some updates regarding the litigation and the following are what he reported:

-The Seneca Nation of Indians feels the intervention of the District would be disruptive and could interfere with the mediation process.

-Attorney Hart feels it will be the Governor's call if any

attorney fees are paid for by the State of New York.

Dick McCutcheon's son (cottage owner in land dispute area) asked Attorney Hart if cottage owners were allowed to attend the meeting in Buffalo on Monday, May 13th. Attorney Hart stated that everyone is welcomed to attend the meeting and it is being held at 2:00 at the Federal Building in Buffalo and in Judge Curtain's courtroom.

B. Budget for Management Agreement Update

-Commissioner Sweet asked Attorney John M. Hart, Jr. if there were any updates regarding the budget and Attorney Hart commented that he should hear from Tom Pohl by next week.

OLD BUSINESS:

1. Garbage Bid Selection

- Motion made by Commissioner Lang to accept the bid of \$11,700.00 made by B&S Disposal to collect the garbage for the Cuba Lake District for the 2002 season, seconded by Commissioner Bradley. All in favor 3 yes, 0 no. MOTION CARRIED.

2. The District Secretary notified the successful bidder by letter and notified the cottage owners with a letter of instruction for collection.

3. Lake Manager

-Commissioner Sweet asked Attorney John M. Hart, Jr. if he had heard from Allegany County regarding the civil service impact of the job description. Attorney Hart has not heard anything yet and will follow up with them.

NEW BUSINESS:

Motion to adjourn meeting made by Commissioner Lang, seconded by Commissioner Bradley. All in favor 3 yes, 0 no. MOTION CARRIED.

Meeting adjourned at 8:15 p.m.

**Respectfully submitted,
Pamela L. Konieczka**