

CUBA LAKE DISTRICT  
P.O. BOX 307  
OLEAN, NEW YORK 14760

The regular monthly meeting of the Cuba Lake District Board of Commissioners was held on Thursday, November 11, 2004 at the Cuba Lake District Office, 15 E. Main Street, Cuba, New York  
Co-Chairperson Erick Laine called the regular meeting to order at 7:00 p.m. and asked the secretary to call the roll:

ROLL CALL: Lynn Sweet - Excused Dave Shemeld  
Erick Laine Jeff Bradley  
Jerry Collins

ALSO PRESENT: Treasurer Andrew Lindquist - Excused  
Secretary Pam Konieczka  
Attorney John M. Hart, Jr. - Excused  
Lake Manager Dave Bosworth

GUESTS: Larry Herbst

-Mr. Herbst inquired if the negotiations regarding the spillway were complete. Lake Manager, Dave Bosworth, stated that there is a new tribal council and that he hopes to have an agreement with them some time this month.

-Mr. Herbst also asked if there was any further news on the sewer project. Discussion ensued later in the meeting regarding this matter.

APPROVAL OF MINUTES: Motion was made by Commissioner Bradley to accept the minutes of the October 14, 2004 meeting, seconded by Commissioner Collins. All in favor 4 yes, 0 no. MOTION CARRIED.

CORRECTIONS:

TREASURER'S REPORT: Following review of reports of the District Budget circulated by the Treasurer, Commissioner Bradley moved to accept the Treasurer's reports for filing, seconded by Commissioner Collins. All in favor 4 yes, 0 no. MOTION CARRIED.

Following presentation of the List of Claims for the General Account, Commissioner Shemeld moved to pay the accounts as listed, seconded by Commissioner Bradley. All in favor 4 yes, 0 no. MOTION CARRIED.

AMOUNT: \$ 3,576.92

Following review of reports of the Management Budget circulated by the Lake Manager, Dave Bosworth, Commissioner Collins moved to accept the Lake Manager's reports for filing seconded by Commissioner Bradley. All in favor 4 yes, 0 no. MOTION CARRIED.

-Lake Manager, Dave Bosworth read a copy of a letter sent to Tom Pohl with

OGS from Karen Perrigo stating that she was sending a quarterly report on the Management funds and would in the future send a report quarterly.

Following presentation of the List of Claims for the Management Account, Commissioner Bradley moved to pay the accounts as listed, seconded by Commissioner Shemeld. All in favor 4 yes, 0 no. MOTION CARRIED.

AMOUNT: \$ 6,193.47

CORRESPONDENCE: See attached Index of Correspondence.

#### LAKE MANAGER'S REPORT:

-Dave reported that he has received many compliments on the District Dispatch newsletter.

-Dave also reported the facilitating plan for the Cuba Lake wastewater collection system.

-The lake water is down half way to winter level.

-Dave met with Arlene Bova last month from the Seneca Nation of Indians and walked around the 19 cottages that are on the Nation land. Dave felt the meeting went well. And that some locks have been changed at those properties and are now occupied by new owners.

-Dave read a letter he wrote per Peter Sullivan to the new President of the Nation that was elected earlier this month. The letter was regarding some needed repairs to be done to the spillway area.

-Dave also received a response email from the Nation's attorney regarding the spillway repairs. Dave contacted FEMA and found there may be funds available through the Seneca Nation Environmental Department. Because the spillway is on Nation land. Dave will speak with them to see if funds are available.

#### COMMITTEE REPORTS:

1. BUILDING & LOT IMPROVEMENTS/PARK MAINTENANCE – Jerry Collins, Jeff Bradley

a. Higgins – Lot #259 – request to replace break wall.

Motion was made by Commissioner Bradley to approve the above request, seconded by Commissioner Collins. All in favor 4 yes, 0 no. MOTION CARRIED.

2. BUDGET & FINANCE – Jerry Collins, Dave Shemeld, Andy Lindquist, ex officio

- Nothing to report

3. WATER QUALITY – Erick Laine, Dave Shemeld, Dave Bosworth-Lake Manager

-Mr. Herbst asked how they are going to “sell” the new sewer system to the Cuba Lake property owners and if it would improve the quality of the lake water. He also was curious to know about pollution in the lake water. Many

people have put new aerobic digesters in that are expensive and may not agree to the new sewer system. Commissioner Shemeld asked if we have real data to prove that the new sewer system would change the quality of the lake water. Dave Bosworth had just received data from Clark/Patterson and Commissioner Shemeld took the information to look at.

-Commissioner Shemeld asked if everyone had to participate in the new sewer system. Dave Bosworth stated it would become a law made by the District for everyone to participate. Mr. Herbst asked if this was decided by a vote.

Commissioner Laine stated that it would be by a majority rules vote.

Commissioner Shemeld then asked if this new project would include people who reside on the other side of the lake. Commissioner Laine stated that it could be available to them. Dave stated that the more people involved in the project the less the cost would be. The school district, Moonwink's and people on Route 305 are already interested. Dave also feels communication is the key and that the next newsletter should have some information available to the public.

-Mr. Herbst then asked when the ties are pulled if they could be pulled from the bottom instead of the top and if this would help with the quality of the water. Dave commented that he didn't feel it would help.

4. STATE RELATIONS COMMITTEE – Erick Laine, Lynn Sweet

- Nothing to report

4. QUARTERLY NEWSLETTER – Dave Shemeld, Dave Bosworth-Lake Manager

-Commissioner Shemeld obtained the study Clark/Patterson has done on information for the new sewer system. He will compile some information to possibly report in the next quarterly newsletter.

FOR THE GOOD OF THE LAKE:

A. Legal Avenues of Code Enforcement

-Commissioner Shemeld asked what impact or help can be provided by the State and County authorities to help with situations around the lake, as far as water quality. Discussion ensued how they have helped in the past and what they may be able to do for the District in the future.

-In the absence of Attorney John M. Hart, Jr., Lake Manager, Dave Bosworth reported that Ed Wagner of Wagner & Hart Attorneys is pursuing the suit against the Utter's and that it will be ready by the December meeting.

B. Speed Monitoring Signs

-Commissioner Laine expressed that we should not pursue any more avenues right yet and maybe look at ideas again in the spring.

OLD BUSINESS:

A. Public Sewer Project

-Discussion on how to prepare the community on the vote for the new sewer

system was tabled until the December meeting.

**NEW BUSINESS:**

- Nothing to report

Motion to adjourn meeting made by Commissioner Bradley, seconded by Commissioner Collins. All in favor 4 yes, 0 no. MOTION CARRIED.

Meeting adjourned at 8:48 p.m.

Respectfully Submitted,

Pam Konieczka

District Secretary