

JUNE 2006 MINUTES

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 Wednesday, June 7, 2006 at 31 Water Street, Suite #8, Cuba, New York. Chairperson Lynn Sweet called the regular meeting to order at 7:00 p.m. and asked the secretary to call the roll:

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

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

GUESTS: Dana Harvey
Jim Mostacato - Lot #35
Barb Johnston – Lot #96
Veronica Barber – Lot #37

Carol Horowitz - Allegheny Planning Services

- Mrs. Barber expressed that she has received complaints from several cottage owners regarding B & S Disposal and the picking up of garbage this summer. She stated that his behavior is very poor and arrogant. Commissioner Shemeld asked Mrs. Barber what the District could do and Mrs. Barber expressed she would like to see a new garbage vendor.
- Commissioner Sweet stated that B&S Disposal has picked up Lake Refuse for 5 years with very few complaints and he has a two-year contract that ends Oct 2007. So unless he does not fulfill the contract it would be very difficult to Break as long as he is living up to the requirements. Roads side manner is not covered in the contract. Commissioner Sweet said that another letter would be sent to Steve at B & S Disposal. (One letter had already been sent to him.) The District also sent out a postcard reminding the owners to put the garbage out at the roadside in order for it to be picked up.

- Mrs. Johnston expressed the same issues.

- Carol Horowitz with Allegheny Planning Services went over in detail, the draft of the revised Land Use Restrictions and Controls.

CORRECTIONS:

APPROVAL OF MINUTES: Motion was made by Commissioner Laine to accept the minutes of the May 11, 2006 meeting, seconded by Commissioner Collins. All in favor 5 yes, 0 no. MOTION CARRIED. .

TREASURER'S REPORT: Following review of reports of the District Budget circulated by the Treasurer, Commissioner Shemeld moved to accept the Treasurer's reports for filing, seconded by Commissioner Bradley. All in favor 5 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 5 yes, 0 no. MOTION CARRIED.

AMOUNT: \$3,654.48

Following review of reports of the Management Budget circulated by the Lake Manager, Dave Bosworth, Commissioner Laine moved to accept the Lake Manager's reports for filing, seconded by Commissioner Collins. All in favor 5 yes, 0 no. MOTION CARRIED.

Following presentation of the List of Claims for the Management Account, Commissioner Collins moved to pay the accounts as listed, seconded by Commissioner Laine. All in favor 5 yes, 0 no. MOTION CARRIED.

CORRESPONDENCE: See attached Index of Correspondence.

ACTION LIST REVIEW:

- Dave Bosworth reviewed the items on the Action List.

LAKE MANAGER'S REPORT:

Dave Bosworth reported the following:

- Mowing is ongoing at both the dam and spillway.

- Abbott's Creek has not been mowed yet. Dave decided to let it grow in first.

- The Weed Cutter is in Operation.

- The District received the check from the State of New York in the amount of \$167,200.00 for lease payments from the year of 2005.

- BWB Accounting Firm's contract has expired.

Motion was made by Commissioner Laine to sign another three-year contract with Buffamante Whipple Buttafaro PC, seconded by Commissioner Bradley. All in favor 4 yes, 1 nay. MOTION CARRIED.

COMMITTEE REPORTS:

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

- Commissioner Shemeld presented new Building and Lot Improvement/Park Maintenance forms for various requests.

Motion was made by Commissioner Collins to accept these permit request forms in support of the new Land Use Restrictions and Controls, seconded by Commissioner Laine. All in favor 5 yes, 0 nay. MOTION CARRIED.

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

- Budget for 2007 is being reviewed.

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

- Nothing to report.

4. STATE RELATIONS COMMITTEE – Erick Laine, Lynn Sweet

- Nothing to report.

5. PUBLIC RELATIONS & COMMUNICATIONS – Dave Shemeld, Dave Bosworth

- Another issue of the District Dispatch was sent out.

NEW BUSINESS:

A. Resolution to Adopt Newspapers for District

B. Resolution to Adopt Official Notice for Budget

C. Resolution to Adopt Official Notice for Annual Election

D. Land Use Restrictions and Controls

- Commissioner Shemeld explained some of the changes being made in the draft of the revised Land Use Restrictions and Controls. Most of the changes are for allowing the Lake Manager to make decisions directly without the District's permission.

- Attorney Hart stated that the new submission of this document (Land Use Restrictions and Controls) would have to go to the voters for adoption at the Annual Election in August. Attorney Hart will also send a copy of the document to the State for their opinion.

Motion was made by Commissioner Laine to submit the Land Use Restrictions and Controls as amended to the voters as a proposition at the annual election in August and that each cottage owner be mailed a copy for review in advance of the election. Seconded by Commissioner Collins. All in favor 5 yes, 0 nays. MOTION CARRIED.

FOR THE GOOD OF THE LAKE:

A. Sewer System Project

- Attorney John M. Hart, Jr. will come up with verbiage to send out on a postcard to the leaseholders/lot owners.

B. Legal Avenues of Code Enforcement

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

Meeting adjourned at 10:37 p.m.

The next regularly scheduled meeting will be Thursday, July 13, 2006 at 7:00 p.m.

Respectfully Submitted,

Pam Konieczka

District Secretary