

# SEPTEMBER 2006 MINUTES

Chairperson Lynn Sweet called the regular meeting to order at 6:58 p.m.

Roll Call:

Present:

Lynn Sweet

Erick Laine

Jerry Collins

Harry (Terry) Keeley

Dave Shemeld

Also Present:

Attorney, John M. Hart, Jr.

Treasurer, Andrew Lindquist

Secretary, Pam Konieczka

Lake Manager, Dave Bosworth

Resignation Accepted:

Of Pamela L. Konieczka as Secretary

Oaths Of Office: as administered by John M. Hart, Jr.

To Harry (Terry) Keeley as Commissioner

To Isabel Warren as Secretary

To Andrew Lindquist as Treasurer

Election of Chairperson And Deputy Chairperson:

Attorney John M. Hart, Jr. received nominations from the Commissioners:

Nomination of Lynn Sweet for Chairperson by Erick Laine,

and seconded by Jerry Collins. All in favor 5 yes; 0 no.

NOMINATION CARRIED.

Nomination of Erick Laine for Deputy Chairperson by Jerry Collins

and seconded by Dave Shemeld. All in favor 5 yes; 0 no.

NOMINATION CARRIED.

Having no other nominations John M Hart, Jr cast the vote in behalf of the commissioners electing Lynn Sweet as Chairperson and Erick Laine as Deputy Chairperson

Upon being duly elected Chairperson Lynn Sweet assumed the Chair and conducted the balance of the meeting.

Designation of Committees:

\* Building & Lot Improvements/Park Maintenance

\* Budget & Finance

\* Water Quality

\* State Relations

\* Public Relations & Communications

\* Waste Water Project Formed By Appointment.

Recognition of Guests:

\* Dana Harvey

\* James Mostacato-cottage 35

Approval of Minutes:

Corrections:

Approval of a garage extension project for D. Bruce Smith, Lot #343, was not reflected in the minutes of August 24, 2006. So noted.

Motion was made and seconded to accept the minutes of the August 24, 2006 meeting as corrected, All in favor 5 yes, 0 no. MOTION CARRIED.

Treasurer's Report:

Following review of reports for the District Budget circulated by the Treasurer, Motion was made and seconded to accept the Treasurer's reports for filing, All in favor 5 yes 0 no. MOTION CARRIED.

Following presentation of the List of Claims of the General Account, Motion was made and seconded to pay the accounts as listed, All in favor 5 yes, 0 no. MOTION CARRIED. AMOUNT: \$ 9229.35

Allegany County Planning Service bill from Carol Horowitz in the amount of \$1839.05 was added to list of claims. Motion was made and seconded for Andrew Lindquist to pay the invoice from the "Attorney beyond Retainer" account, All in favor 5 yes, 0 no. MOTION CARRIED.

It was noted by the Treasurer that the CD at the Community Bank in the amount of \$68,223 would mature on 9/9/06. Motion was made and seconded to have Pam Konieczka roll over the CD for 13 months at an interest rate of 5.0% APR, All in favor 5 yes, 0 no. MOTION CARRIED.

Management Budget:

Following review of the budget and the cash balance reports circulated by the Lake Manager, motion was made and seconded to accept the reports for filing. All in favor 5 yes, 0 no. MOTION CARRIED.

Following presentation of the List of Claims of the Management Account in the amount of \$\_\_\_\_\_, motion was made and seconded to pay the accounts as listed, All in favor 5 yes, 0 no. MOTION CARRIED.

Correspondence: See attached Index of Correspondence

Action List Review:

#2(Lot #274)-Motion made and seconded for Jack M. Hart, Jr. to prepare legal order for Cottage #274,. All in favor 5 yes, 0 no. MOTION CARRIED.

#13(Lot #39) -Motion made and seconded to accept the signed lease by the newly identified lease holders as a replacement to the letter of 7/14/05. Send a letter to new lease holders to the effect that the permit previously issued can no longer be used to complete construction and that the deck now on the house is not in conformance with building codes. Formally recommend the new lease holders make application for permit to complete the deck in accordance with earlier advice by the BOC. Also, ask for a certificate of "occupancy" signed by the building code authority. All in favor 5 yes, 0 no. MOTION CARRIED.

#15(Management Agreement)-Motion made and seconded to issue final draft of Management agreement to the State for approval and signing. Include extending leases to 5 years as part of letter, all in favor 5 yes, 0 no. MOTION CARRIED.

#25(Spillway)-Motion made and seconded for Lake Manager, David Bosworth to purchase white oak lumber from Portville Lumber to be ready by January 30,

2007. All in favor 5 yes, 0 no. MOTIONED CARRIED.

Lake Manager's Report:

1. Mowing at public access, dam, spillway and sediment basins continues with final mowing scheduled for the end of the month.
2. Aquatic weed harvesting will continue through September. The harvester will then be stored and winterized by Dana Harvey.
3. Part one of the Hazard Mitigation Grant for Mount Monroe Sedimentation Basin has been completed and sent to SEMO/FEMA. Now awaiting 75% reimbursement and, approval to go ahead with phase two.
4. Contacted Tom Swift of Clark Patterson for information he could supply and contact persons from other sewer districts using a similar engineering plan as proposed for Cuba Lake.
5. Dana Harvey gave report on logs for spillway.

Committee Reports:

1. Building & Lot Improvements/Park Maintenance - Jerry Collins, Dave Shemeld  
Lot #10 Carol Whitten-two requests covering \_\_\_\_\_ and \_\_\_\_\_. Motion for approval was made and seconded; all in favor 5 yes, 0 no. MOTION CARRIED.  
Lot #217 Steve Austin- remove 5 trees, demolish garage, Motion for approval was made and seconded; all in favor 5 yes, 0 no. MOTION CARRIED.  
Lot #30 Jeff Jerge-garage construction, tabled for request of a County variance.
2. Budget & Finance - Jerry Collins, Dave Shemeld and Andy Lindquist, ex officio  
District Budget sent to Cuba and Ischua town supervisors.
3. Water Quality - Dave Shemeld, Erick Laine, Lake Manager-Dave Bosworth  
Dave Bosworth received progress report from Cattaraugus County on the planned development of a wetland reserve along Rawson Creek.

4. State Relations - Erick Laine, Lynn Sweet

Nothing to Report

5. Public Relations & Communications - Dave Shemeld, Dave Bosworth, Isabel Warren

Dispatch to be issued by September 30th.

6. Waste Water Project-Terry Keeley, Dave Shemeld

\* A tentative date of Sept 25th has been suggested for a meeting with the Town. The date will be confirmed.

\* Arrangements will be made for the committee to meet with Clark Patterson to get updated on Sewer Project planning.

\* A tour of existing facilities and meetings with key parties involved in their planning and operation will be set up

**NEW BUSINESS:**

A. Resolution is adopted appointing Attorney and Secretary and setting salaries for Treasurer, Attorney and Secretary. See attached Resolution.

B. Jack Hart recommends a set of rules for penalties and fines be set by the commissioners. Commissioners will discuss through email.

C. Dana Harvey asked permission to cut portions of trees overhanging the lake and are

in way of the harvester. The Lake Manager will review the specific areas and call or otherwise notify the adjacent leaseholders of the intent and extent of cutting required. After notification cutting may proceed.

FOR THE GOOD OF THE LAKE:

A. Public Sewer System

B. Thank you to Pam Konieczka and Jeff Bradley.

C. Lynn Sweet recommended a plaque be placed in the district office naming all past members of the commission and the dates served. Motion was made and seconded ; All in favor 5 yes, 0 no. MOTION CARRIED.

ADJOURNMENT:

Motion was made and seconded to adjourn the meeting All in favor 5 yes 0 no. MOTION CARRIED.

Meeting adjourned at 9:42 pm.

Respectfully Submitted

Isabel Warren sediment basins continues with final mowing scheduled for the end of the month.

2. Aquatic weed harvesting will continue through September. The harvester will then be stored and winterized by Dana Harvey.

3. Part one of the Hazard Mitigation Grant for Mount Monroe Sedimentation Basin has been completed and sent to SEMO/FEMA. Now awaiting 75% reimbursement to go ahead with part two.

4. Contacted Tom Swift of Clark Patterson for information he could supply and contact persons from other sewer districts using a similar engineering plan as proposed for Cuba Lake.

5. Dana Harvey gave report on logs for spillway.

COMMITTEE REPORTS:

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

Lot #10 Carol Whitten-two requests-both approved

Lot #217 Steve Austin- remove 5 trees, demolish garage, approved.

Lot #30 Jeff Jerge-garage construction, tabled for request of a variance

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

Budget sent to Cuba and Ischua town supervisors.

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

Dave Bosworth received progress report from Cattaraugus County.

4. STATE RELATIONS – Erick Laine, Lynn Sweet  
none

5. PUBLIC RELATIONS & COMMUNICATIONS – Dave Shemeld, Dave Bosworth, Isabel Warren  
none

6. WASTE WATER PROJECT-Terry Keeley, Dave Shemeld

Formation of committee recommended by Erick Laine

NEW BUSINESS:

A. Resolution appointing Attorney and Secretary and setting salaries for Treasurer, Attorney and Secretary. See attached Resolution.

B. Jack Hart recommends a set of rules for penalties and fines be set by the commissioners. Commissioners will discuss through email.

C. Dana Harvey asked permission to cut trees overhanging the lake that are hanging over the lake and in the way of the harvester. Dana should report to commission on trees that need to be cut, then a letter may be sent to the owner stating the trimming will take place.

FOR THE GOOD OF THE LAKE:

A. Public Sewer System

B. Thank you to Pam Konieczka and Jeff Bradley.

C. Lynn Sweet recommended a plaque be placed in the district office naming all past members of the commission and the dates served. Dave Shemeld moved this be done, seconded by Erick Laine. All in favor 5 yes, 0 no. MOTION CARRIED.

ADJOURNMENT:

Motion to adjourn meeting made by Commissioner Dave Shemeld, seconded by Commissioner Erick Laine. All in favor 5 yes 0 no. MOTION CARRIED.

Meeting adjourned at 9:42 pm.