

MEETING AGENDA

Chairman Sweet called the regular meeting to order at 7:05pm.

Present: Lynn Sweet
Dave Shemeld
Jerry Collins
Jay Morris
Joseph Higgins

Also Present: Secretary, Isabel Warren
Treasurer, Andrew Lindquist
Lake Manager-Scott Barrey
Attorney-Jack Hart

Recognition of Guests: Bruce Smith, David Pupo, Marjanne Van der Horst, Terry Keeley, Fred Larson, Phyllis Atherton, Harold and Connie Wolfinger, Susan Babcock.

1. Mr. Larson wanted to report he has no objections to the building plans for his neighbor at #43. A motion was made and seconded to approve the application for building at #43. 5 yes 0 no, MOTION CARRIED.
2. Mr. and Mrs. Wolfinger were present to discuss their submitted plans for building a new cottage on lot #335. The building committee and Scott had no objections to the plan. A motion was made and seconded to approve the application for building on lot #335. 5 yes 0 no, MOTION CARRIED.
3. The remaining guests were present to discuss the reassessment and the district's plan of action on a legal basis. There was an hour long discussion. It was decided there were many more questions the commissioners need to ask Phillips Lytel. A motion was made and carried to have an emergency meeting between the commissioners and the attorney, with the commissioners waiving their right to a written notification. 5 yes 0 no, MOTION CARRIED.

Approval of Minutes: On call by the chair Mr. Shemeld motioned to publish his amended version of the June 11, 2009 minutes. There being no second to the motion, the motion was dropped.

Motion made and seconded to accept minutes from May 14, 2009. 4 yes 1 no (**D. Shemeld**), MOTION CARRIED.

Treasurer's Report:

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

Following presentation of the **List of Claims of the General Account, \$8819.47** Motion was made and seconded to pay the accounts as listed. 5 yes, 0 no, MOTION CARRIED.

Andy presented a copy of the preliminary budget for 2010. There will be a hearing prior to the District meeting on August 13, 2009.

Management Budget:

Following review of the **Budget and the Cash Balance Reports** for May 2009 circulated by the Lake Manager, motion made and seconded to accept. 5 yes, 0 no. MOTION CARRIED.

Due to the auditor's advice, a motion was made and seconded to have Scott sign payroll checks and Andy sign all the rest of the checks. 5 yes 0 no, MOTION CARRIED

Following presentation of the **List of Claims of the Management Account** in the amount of \$13327.86. Motion was made and seconded to pay the accounts as listed. 5 yes, 0 no, MOTION CARRIED.

Correspondence: see attached Index of Correspondence.

Further discussion on the lease land lawsuit in detail. See previous.

Action List Review:

#2-The inundation report still has not been received. Scott has told the company, if there is not a report by next week, he will seek a new contract. No monies have been paid for the report yet.

#3-Scott spoke to Tom Pohl, OGS about removing the tree at the north end of the dam. Mr. Pohl will speak to Mr. Canestrany at DEC.

#4-Scott asked for a bid on removing the willow tree at the south end of the dam. He felt the bid was too high. He and Dana will remove the tree themselves.

#7-Scott says he has all the permitting needed for the Munger Hollow project. It is not permitting for 10 years as mentioned.

#18-It was felt by the building committee that the language of the LUR did not need to be rewritten concerning the meaning of "Repairs and Maintenance". There will be discussion between the members of the committee and Scott on what the definitions are.

Lake Manager's Report:

- CSLAP Materials have arrived
- Moved channel markers. Need to add 2 danger buoys.
- Harvester is in the water
- We have purchased a pontoon boat for \$ 2,300.00 to use as work barge. I would like to add a depth finder and gps.
- Painting overflows at sediment basins
- Allegany County Sheriff's Dept. Boater Safety Class on June 27. Registration is full.
- Permits Written
 - 09-11-043 Fitzpatrick – demolition of existing cottage
 - 09-12-043 Fitzpatrick - break wall
 - 09-13-343 Smith – remove dead trees
- Request for permit for Cottage 335 Wolfinger to construct new dwelling.

Committee Reports:

1. **Building and Lot Improvements/Lake Maintenance**-Jerry Collins, Jay Morris, and Joe Higgins See previous
2. **Budget and Finance**-Jerry Collins, Dave Shemeld and Andrew Lindquist, ex officio. See previous.
3. **Water Quality**-Dave Shemeld, Joseph Higgins, Scott Barrey See manager's report.
4. **State Relations**-Jay Morris, Lynn Sweet. See previous.
5. **Public Relations and Dispatch.** Dave Shemeld

NEW BUSINESS:

1. Resolution to adopt official newspapers for district
A motion was made a seconded to have the Cuba Patriot and Olean Times Herald as the official newspapers of the district. 5 yes 0 no, MOTION CARRIED.
2. Resolution to adopt official notices for budget hearing and annual election
Motion was made and seconded to adopt the official notices for the budget hearing and annual election. 5 yes 0 no, MOTION CARRIED.
3. SNI has requested a resolution be made to approve their hook up to the sewer system.
Sponsor: Jay Morris
Second: Gerald Collins
Date: June 11, 2009

WHEREAS, the Oil Spring Territory of the Seneca Nation of Indians is located directly adjacent to the Cuba Lake District; and

WHEREAS, the SNI has requested the support of the Cuba Lake District to connect to the Cuba Sewer District #5,

NOW THEREFORE BE IT

RESOLVED, that the Cuba Lake District has no objection to expanding the scope of the current sewer project so as to provide for the ability to service properties within the Nation's Oil Spring Territory.

5 yes 0 no, MOTION CARRIED.

FOR THE GOOD OF THE LAKE:

Jay has seen a lot of young fish swimming in the lake.

ADJOURNMENT:

Motions was made and seconded to adjourn the meeting. 5 yes and 0 no. MOTION CARRIED.

Meeting adjourned at 9:07 pm

Respectfully submitted,

Isabel Warren

Next Meeting July 12, 2009 at 7PM