

**CUBA LAKE DISTRICT BOARD OF COMMISSIONERS**  
Pole Barn, Erick Laine Way, 5962 West Shore Road, Cuba, NY 14727  
**REGULAR MEETING – APRIL 11, 2024 – 7:00 PM**

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**CALL TO ORDER:**

The regular meeting of the Cuba Lake District Board of Commissioners was called to order by Chairman Morris at 7:01PM.

**PRESENT:** Jay Morris, Chairman  
Jamie Pierotti, Vice Chair  
Michael Nenzo, Commissioner  
Stephen Austin, Commissioner  
Andrew Lindquist, Treasurer  
Scott Barrey, Lake Manager  
Brandi Porcello, Secretary

**EXCUSED:** Sarah Bradley, Commissioner

**GUESTS:** *Each guest will be allowed 3 minutes to speak at the beginning of the meeting. If discussion results, it will be a maximum of 15 minutes per discussion. Any further comments will be made at the end of the meeting. Thank you.*

Mary Raymond (#238) – Reminded the Commissioners and guests that the CLCOA Spring Welcome Back Social will be held on Saturday, May 4<sup>th</sup> at the Cuba VFW from 5:00-8:00. The cost is \$25, and RSVP's can be made to her, Marsha Long, or the CLCOA email address cubalakecottageowners@yahoo.com. The theme will be Cinco de Mayo, but may the fourth be with you.

Mary Lindquist (#247) – Nothing to report.

Chris Travis (373E/F) – Expressed concern over the filling of the lake and the challenges of completing break wall work due to the water level rising. Suggested that the commissioners choose a solid date so cottage owners have time to complete projects. Comr. Nenzo mentioned that he made a motion to put the ties in during our March meeting; the lack of snow caused concern as to whether or not the lake would fill. It was a unanimous vote by all commissioners to do so. Vice Chair Pierotti mentioned the summer of 1987 when the lake did not rise and other summers where the water level remained very low throughout the boating season. Choosing a date does not always work because of the various weather factors. The commissioners thanked him for coming and took his concerns into consideration.

**APPROVAL OF MINUTES:**

Review of the March 14, 2024 meeting minutes. Comr. Nenzo moved, seconded by Vice Chair Pierotti, to accept the minutes as submitted. 3 in favor, 1 abstained, MOTION CARRIED unanimously.

**TREASURER'S DISTRICT FUNDS REPORT:**

**Cuba Lake Cash Account Balances** – Treasurer Lindquist provided district fund reports for March 2024. Treasurer Lindquist provided the cash fund balances for March 2024.

**Cuba Lake District List of Claims** – Treasurer Lindquist provided the list of claims for March 2024 totaling \$8,680.82.

Comr. Nenzo moved, seconded by Comr. Austin to approve Cuba Lake District Cash Account Balances and Cuba Lake District List of Claims for March 2024. MOTION CARRIED unanimously.

**TREASURER'S MANAGEMENT FUNDS REPORT:**

**Cuba Lake District Management Fund Cash Balances** – Treasurer Lindquist provided Management Fund cash reports for March 2024.

**Cuba Lake District Management Fund Checks Written** – Treasurer Lindquist will provide the checks written for March 2024 during our May meeting as the spreadsheet did not print off correctly for tonight’s meeting. The Treasurer’s management reports will be tabled until the May 2024 meeting.

#### **CORRESPONDENCE:**

- Lake Manager Barry provided the CLCOA with updates on the skimmer project, dam and spillway renovation, as well as the trash pick-up dates for their newsletter.

#### **LOT TRANSFERS:**

- Lot 279: Mark R. Swanson Estate to Ronda Adams Neuland and Michael Scott Neuland
- Lot 379: James and Mary Ann Palumbo to Susan and Jeffrey Maue

#### **OLD BUSINESS:**

- A huge thank you to Andy and Mary Lindquist for helping the secretary get the 2024-2025 lease fees printed and to Scott Barrey for his help as well.
- A discussion was had regarding the Cuba Lake District’s Budget and the need to override the 2% tax cap due to necessary increases in payroll costs as well as purchases needed for continued safe operations. Comr. Nenko read aloud the Resolution to override the tax levy limit established by the General Municipal Law §3-c which states:

##### **RESOLUTION NUMBER 1 of 2025**

**Cuba Lake District, County of Allegany, State of New York**

**A Resolution to override the tax levy limit established by General Municipal Law §3-c**

##### **Section 1. Legislative Intent**

**It is the intent of this Resolution to permit the override of the limit on the amount of real property taxes that may be levied by the Cuba Lake District, Counties of Allegany and Cattaraugus, pursuant to General Municipal Law §3-c, and to allow the Cuba Lake District to adopt a District budget for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c. It has been determined by the Board of Commissioners that it will be necessary to exceed the 2% tax cap for 2025 due to necessary increases in payroll, contractual obligations, and purchases for continued safe operation, and the Board of Commissioners, after due deliberation, finds it in the best interest of the District to adopt this Override Resolution.**

##### **Section 2. Authority**

**This Resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Board of Commissioners to override the tax levy limit by the adoption of a Resolution approved by vote of sixty percent (60%) of the Board of Commissioners.**

##### **Section 3. SEQRA**

**The Board of Commissioners of the Cuba Lake District has determined that the adoption of the Resolution is a Type II Action and are therefore not subject to the requirements of the State Environmental Quality Review Act (“SEQRA”).**

##### **Section 4 Tax Levy Limit Override**

**The Board of Commissioners of the Cuba Lake District, Counties of Allegany and Cattaraugus is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the tax levy limit specified in General Municipal Law, §3-c.**

##### **Section 5. Effective date**

**This Resolution shall take effect immediately.**

Vice Chari Pierotti made the motion to override the 2% tax cap and Commissioner Austin seconded. The motion was carried UNANIMOUSLY.

- A discussion was had regarding the possibility of an increase in lease fee dues in the next 3 years (which hasn’t been done since the mid-1990s) to assist with increased expenses. That will be tabled until our next meeting, but cottage owners will be given plenty of notice and explanation of increased costs and operating expenses.

**LAKE MANAGER’S REPORT – APRIL 2024:** Presented by Lake Manager Barrey

- Cuba Lake Reclamation Project
  - Waiting for permits.
  - Looking for funding sources.
- Dam Safety
  - Lake is full.
  - OGS Dam and Spillway projects have been bid. Projects are in a pre-award status. New York State has work scheduled to begin mid-October.
- Pole Barn
  - Finish perimeter of parking area.
- Harvester Maintenance
  - Pulled for Winter; covered.
  - Working on skimmer.
- Sediment basins
  - Mount Monroe. Waiting on quotes.
- Concerns for Discussion
  -
- Permits
 

○ 24.30.217	Austin	Cut trees.
○ 24.31.282A	Walker	Dock.

**COMMITTEE REPORTS:**

1. **Building and Lot Improvements/Lake Maintenance** – Committee members: Stephen Austin, Sarah Bradley, with Lake Manager. No items to discuss.
2. **Budget and Finance** – Committee members: Michael Nenno and Andrew Lindquist. No items to address.
3. **Water Quality** – Committee members: Sarah Bradley and Michael Nenno, Lake Manager Barrey. Comr. Nenno commented on the clarity of the water.
4. **State Relations** – Committee members: Jay Morris and Jamie Pierotti. Nothing to address.
5. **Public Relations and Cuba Lake Newsletter** – Committee members: Jay Morris and Steve Austin. The CLCOA newsletter information has been sent. Mike Tominez, who will be publishing this year’s Cuba Lake Book, has been receiving emails and pictures from cottage owners. We look forward to the continued publication of the Cuba Lake Book. [Tominezpromos@aol.com](mailto:Tominezpromos@aol.com).
6. **Sediment Removal** – Committee members: Jamie Pierotti, Michael Nenno, with Lake Manager. No items to address.
7. **Procedure Review** –Committee: Jay Morris, Michael Nenno, Scott Barrey, Brandi Porcello. The commissioners agreed to dissolve this committee as no further action needs to be taken at this time.

**NEW BUSINESS:**

- Commissioners suggested possible solar lighting at the entrance of the Erick Lane Way driveway as it is very difficult to see especially in the dark winter months.
- Vice Chair Pierotti shared pictures of a metal spillway structure and design located in Smethport, PA as well as an explanation from engineers on its design with the intent on offering suggestions for the Cuba Lake Dam and spillway renovations.

**FOR THE GOOD OF THE LAKE:**

- The wildlife visiting Cuba Lake have been a beautiful sight to see.
- The Beaver Dam at the Dam has been regularly cleared out.
- The solar eclipse, viewed from Cuba Lake, was an amazing experience.

**ADJOURNMENT:**

Comr. Nenno moved, seconded by Vice Chair Pierotti to adjourn the meeting. MOTION CARRIED unanimously. Meeting adjourned at 8:42 PM.

Respectfully submitted,

Brandi Porcello, secretary