

CUBA LAKE DISTRICT Board of Commissioners  
Minutes of the Regular Meeting Held September 13, 2007  
At the District's Office, 31 Water Street, Suite 8

Chairperson Lynn Sweet called the regular meeting to order at 7 pm

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

**Also Present:** John Hart, Attorney  
Secretary, Isabel Warren  
Treasurer, Andrew Lindquist  
Dave Bosworth, Lake Manger  
Dana Harvey, Assistant Lake Manager

**Recognition of Guests:** none

**Oath of Office:** Jay Morris and Joseph Higgins

**Election of Chairman:** Chairperson Lynn Sweet  
Deputy Chairperson David Shemeld

**Approval of Minutes:** Motion made and seconded to accept minutes from August 15, 2007. 4 yes 0 no, 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. 4 yes, 0 no, MOTION CARRIED.

A motion was made and seconded to transfer CD at Community Bank for \$65,581.14 to Five Star Bank at maturity. 4 yes, 0 no. MOTION CARRIED.

Following presentation of the **List of Claims of the General Account**, \$3675.14. Motion was made and seconded to pay the accounts as listed. 4 yes, 0 no, MOTION CARRIED.

**Management Budget:**

Following review of the **Budget and the Cash Balance Reports** for July 2007 circulated by the Lake Manager, motion made and seconded to accept. 4 yes, 0 no. MOTION CARRIED.

Following review of the **Budget and the Cash Balance Reports** for August 2007 circulated by the Lake Manager, motion made and seconded to accept. 4 yes, 0 no. MOTION CARRIED.

Following presentation of the **List of Claims of the Management Account** in the amount of \$9315.25. Motion was made and seconded to pay the accounts as listed. 4 yes, 0 no, MOTION CARRIED.

**Correspondence:** see attached Index of Correspondence.

**Old Business:**

**Action List Review:**

- Item 1- Charles and Lynda Dunn have assumed the lease on lot #371.
- Item 2- Commissioner Sweet will contact Karen Perrigo to determine the carry over amount on the year end budget.
- Item 4- Updated list of delinquent lease fees was given to John Hart by David Bosworth to be turned over to Allegany county.
- Item 6- Innundation report is not mandatory. Commissioner Shemeld will draft a letter to the state on Cuba Lake District's position.
- Item 7- Emergency plan considering catastrophic failure of the earthen dam-see Item 6.
- Item 8- There are sandbags in place for the leak around left side of spillway. As soon as the water level is lowerd, Dave and Dana will make a permanent repair.
- Item 9- Ungerman Excavation will set the poles at the end of the sediment basin as soon as the equipment is available.
- Item 12- Paperwork for extension of funding for Mount Monroe basin has been forwarded from SEMA to FEMA.
- Item 14- Weed harvester is repaired and after being thoroughly cleaned will be launched 9/14/07.
- Item 15- Weed harvester bid information has been distributed to all the commissioners to read. Will be discussed as next meeting.
- Item 18- Certified results of election have been sent to Town of Cuba.
- Item 19- SNI was sent notice of public hearing on District Budget.
- Item 20- Diver is putting together a video with audio of his dive at the dam and will present it at the next meeting. He has also made drawings and a model.
- Item 22- Waiting for leaseholders of lot #39 to respond to correspondence received from Jack Hart on regular or irregular occupancy.
- Item 23- Commission is satisfied with the clean-up done on lot #274. Jack Hart will send a letter.
- Item 24- Both counties are on board with collecting delinquent lease fees and will determine a procedure for both counties to use. Dan Guiney of Allegany County will be contacting Jack Hart.
- Item 28- Commissioners agreed there is not an immediate problem with the trees planted by Lot #344's neighbor. Jack Hart will send a letter.
- Item 30- The county and state are working on a decision as to the ownership of the northeast corner of the dam.
- Item 31- There has been no response from the DEC pertaining to punitive actions taken on the Mallard Farms spill and CLD recommendations. Will contact Cathy Young's office. Commissioner Shemeld will draft a letter.
- Item 32- Commissioner Shemeld will distribute NYS navigation law to all commissioners. Additional rules/fines to be discussed at next meeting.

## Lake Manager's Report:

### Committee Reports:

1. **Building and Lot Improvements/Park Maintenance**-Jerry Collins, Dave Shemeld
  - A. OGS approval for Lot #246-building new home and demolishing old.
  - B. Plans for building a new home and tearing down the old were submitted by leaseholders of lot #71. Building committee will review and make recommendations to the leaseholders.
2. **Budget and Finance**-Jerry Collins, Dave Shemeld and Andrew Lindquist, ex officio.
3. **Water Quality**-Dave Shemeld, Erick Laine, Lake Manager-Dave Bosworth. Commissioner Higgins will replace Erick Laine.
4. **State Relations**-Erick Laine, Lynn Sweet. Commissioner Morris will replace Erick Laine.
5. **Public Relations and Communications**-Dave Shemeld, Dave Bosworth, Isabel Warren.

### NEW BUSINESS:

1. A motion was made and seconded to retain John Hart as attorney and Isabel Warren as secretary. 4 yes, 0 no, MOTION CARRIED.

***A motions was made and seconded to go into executive session at 9:02 pm. 4 yes, 0 no. MOTION CARRIED. Executive session ended 9:37pm.***

2. Motion was made and seconded to pay:
  - a. Attorney-\$5000 per year.
  - b. Secretary-\$4150 per year.
  - c. Treasurer-\$2300 per year.4 yes, 0 no, MOTION CARRIED.

### FOR THE GOOD OF THE LAKE:

#### ADJOURNMENT:

Motions was made and seconded to adjourn the meeting.  
Meeting adjourned at 9:47 pm  
Respectfully submitted,  
Isabel Warren

Next Meeting October 11, 2007 at 7PM