

CUBA LAKE DISTRICT

NOTICE OF ANNUAL ELECTION

NOTICE IS HEREBY GIVEN that pursuant to Section 13 and related sections of Chapter 263 of the Laws of 1981 which established the statutory authority for the formation and operation of the Cuba Lake District; the Annual Election of the Cuba Lake District Commission will be held on the last Saturday of August and will be conducted as follows:

PLACE FOR VOTING WITHIN THE DISTRICT

5962 West Shore Rd. (Pole Barn)

Cuba, NY 14727

DATE OF THE ELECTION: SATURDAY, AUGUST 25, 2018

HOURS FOR VOTING: 12:00 NOON UNTIL 6:00 P.M.

1. THE ELECTION OF ONE (1) COMMISSIONER TO FILL THE EXPIRED TERM OF MARK ATHERTON - A FIVE (5) YEAR TERM.

2. THE ELECTION OF ONE (1) TREASURER TO FILL THE EXPIRED TERM OF ANDREW LINDQUIST – A THREE (3) YEAR TERM.

TAKE FURTHER NOTICE, that nominating petitions must be signed by at least twenty-five (25) qualified electors of the Cuba Lake District and must be filed with the Secretary of the District at least ten (10) days prior to the Annual Election.

Forms for the nominating petitions may be obtained from the Secretary of the District at 4 Genesee St, Cuba, NY 14727, or by calling 585-474-3960.

TAKE FURTHER NOTICE, that the following proposition shall appear on the ballot:

Should the Cuba Lake District, through its Commissioners be authorized to engage with the Office of General Service to frame a proposal (including price determination, payment terms and related attendant issues) which shall be satisfactory to OGS and CLD for the sale directly to cottage owners of the real property they currently lease?

A Yes vote agrees to the Proposition. A No vote rejects the proposition.

TAKE FURTHER NOTICE, that the electors of the Cuba Lake District -- those persons who are at least eighteen (18) years of age and who are citizens of the United States of American, and in addition, have at least one (1) of the following qualifications:

- 1.) At the time of such election, and has been for at least the last thirty (30) days prior to the election, a permanent resident in accordance with the provisions of Article V of the Elections Laws; or
- 2.) Is a lessee, either individually or jointly with another or others, or real property located in the State of New York in said District; or

3.) Is the owner, either individually or jointly with another of real property located at the District.

TAKE FURTHER NOTICE, that Section 13 Chapter 263 of the Laws of 1981 provides that the Board of Commissioners at least thirty (30) days prior to the Annual Election, shall prepare a preliminary Annual Budget for the fiscal year commencing January 1st of the next year, and that copies of such shall be filed with the Secretary of the District and with the Clerk of the Town of Cuba, New York, where it may be inspected by any interested party during regular working hours.

TAKE FURTHER NOTICE, that the application for absentee ballots may be obtained from the Secretary of the District at any time after the first day of August 2018 and must be mailed to the Secretary of the District not later than the seventh (7) day before the Annual Election on August 25, 2018.

BY THE ORDER OF THE BOARD OF
COMMISSIONERS OF THE CUBA
LAKE DISTRICT

Isabel A. Warren, Secretary

TITLE OF RESOLUTION: RESOLUTION APPROVING THE OFFICIAL
NOTICE OF THE ANNUAL ELECTION

ADOPTED BY THE BOARD OF COMMISSIONERS: JULY 12, 2018

WHEREAS, Chapter 263 of the Laws of 1981 established the statutory authority for the formation and operation of the Cuba Lake District; and

WHEREAS, pursuant to Section 13 and related sections of Chapter 263, be it resolved that pursuant to such authority of such statues, upon motion duly made, seconded, and carried, there being 4 ayes in favor of the adoption of such resolution, and 0 nays opposed to the adoption of such resolution;

BE IT RESOLVED, by the Commissioners of the Cuba Lake District that the attached copy shall be the Official Notice of the Annual Election to be published in the Cuba Patriot and the Olean Times Herald on August 1, 2018, August 8, 2018 and August 15, 2018.

**Possible Conveyance of Lands to Leaseholders
FAQ**

1. What is the fair and reasonable price for the leased lands occupied by cottage owners at Cuba Lake taken as a whole?

The amount for all cottage lots taken as a whole will be identified between the Office of General Services and Cuba Lake District and will need to be approved by the various state officials, including the State Comptroller.

2. What price will the cottage owner have to pay?

- a. The average price will be a calculation as follows:

$$\frac{\text{Total Purchase Price} + \text{Fees}}{276 \text{ Leased Lots}}$$

- b. There will be a calculation of the price for each lot based upon present lease fees and/or the frontage times a depth factor or similar formula to arrive at an actual price for each lot. The calculation will determine the value of the land only.

3. How much will the lease fees increase if a cottage owner does not purchase the land that is being leased?

The lease fees will go to a fair market value determined by the Office of General Services.

4. How long will cottage owners have to decide to purchase?

This is to be determined, but at least one year after the program is announced.

5. How long will lessees have to pay for the purchase price once the decision to purchase has been made?

This is to be determined but could take up to five (5) years.

6. Where do the purchase price proceeds go?

The Cuba Lake Management Fund, which was previously established by NYS legislation, requires the funds be held and used for the benefit of Cuba Lake.

7. How will the deal be structured?

New York State will develop a standard form sale contract for the purchase of the lots at a price as determined in paragraph 2 above. After approval by the purchaser, the contract will be approved by the Attorney General and State Comptroller.

8. Who will be responsible for the legislation to allow conveyance of the land to the cottage owners to take place?

Legislation will be drafted by state legislators with the assistance of the staff of the Office of General Services and the Cuba Lake District.

9. How will lot line issues be resolved?

The approach to determine lot line issues and appropriate legal property descriptions will be determined in discussion with the Office of General Services survey staff with input from the Cuba Lake Commission.

10. Who will be responsible for the Taylor Farm?

The State will continue to own the Taylor Farm, with the District providing services under a management agreement. It is expected that most of the Taylor Farm will continue to be dedicated to public use and benefit.

11. Can there be a cap on assessed valuation?

No. The fair market value of the land once sold will be subject to New York Real Property tax - the laws that establish property value periodically and tax that value.

12. Who will be responsible for the dam and the spillway?

The State will continue to own the dam and have an easement with authority to maintain and control the spillway. The State will continue to be responsible for both the dam and the spillway with the District continuing to provide related services under a management agreement.

13. How will the role of the Cuba Lake District change after the transaction takes place?

The Cuba Lake District will continue to exist after the transactions. The management and operation of the lake will continue to be the District's responsibility in order to guarantee the quality of the lake as a recreational resource.

14. Will the Cuba Lake District be relevant after the sale of property to individuals?

The District itself does not solely exist as a local manager for the State, but is an entity that was created as a local governmental unit with independent oversight of the management and operation of the lake. Those who purchase from the State and those who choose to continue leasing will remain part of the Cuba Lake District. Modification of the authorizing District legislation may be required in the future, as needed, to address the concerns of District residents.