

Regular Board Meeting
Of the Town Board of the Town of Cuba

Held at the Cuba Town Hall, 15 Water Street, Cuba, NY 14727

Present:

Supervisor: Lee James

Council Persons: Melodie Farwell, Bill Beck, David Decker, Jonathan Enzinna

Also Present: Allesia Heslin, Town Clerk, Chad Smith, Highway Superintendent, Dustin Burch, Chief of Police, Dylan Burch, Sergeant, Aaron Appleby, Ambulance Administrator

Absent: Trevor Hollenbeck, Dog Control Officer

Supervisor James asked Heslin to perform a roll call of present members: Chad Smith, Dustin Burch, Dylan Burch, Jonathan Enzinna, Bill Beck, David Decker, Lee James, Melodie Farwell, Aaron Appleby

Board Comments:

- Beck expressed his thankfulness for the appellate court's decision in the Town's favor regarding the 2023 tax assessment roll.
- Enzinna echoed Bill's statement. Enzinna read a statement to address something that he found concerning about policy and conduct. Many residents have emailed the board over the last several weeks regarding the Board's decision to allow the police department to enter into the 287G program. Regardless of where everyone stands on this issue when our constituents and neighbors reach out, they deserve respect. Enzinna was made aware that in response to a concern one board member replied, "Come up with an original thought". Enzinna stated that that is not the standard of professionalism the people of this town deserve. Public service is not about agreeing with every comment made or avoiding criticism it is about listening. When someone takes the time to write to their elected official they are participating in democracy and dismissing them with sarcasm or insult diminishes trust in the board and government as a whole. The board was elected to represent everyone in the town and the board's responsibility is to respond with civility and class even if it's a difficult conversation. Enzinna also stated that as more emails were received, they became more concerning. Enzinna reminded everyone that it's very easy to forget that on the other end of the email is a human being. The rhetoric has to stop and we need to treat each other with respect.

Supervisor Comments:

- James agreed with Enzinna and reiterated that the board wants the very best for the Cuba community and they have worked tirelessly to make sure that Cuba is a good place to live, work in and raise families in and we should all keep that first and foremost. James stated we all have different ideas and opinions that may not match but we can do that in a respectful manner.
- James stated it has been very challenging the last 2 years and the decision that came from the Appellate Court has been very reaffirming to what the Town has done with the reassessment project and where we go forward. James stated that she didn't have an exact amount for how much this law suit cost, but Cuba tax payers have expended \$40,000 of town funds. The county has expended funds for the law suit as well.
- James reiterated that there is a remedy if you disagree with your assessment. Article 78's are not the remedy for that. You can attend grievance and go through the process that is intended and by real property law. Appraisals and information that substantiates you values is what should be done. There is still more to come so the legal bill will continue to climb and takes resources away from the town.
- James mentioned that Supervisor Demming passed away. She served for many years and did a wonderful job for the Cuba Community. She will be missed.

Minutes for 01/13/2026, Supervisor's Report for January & General, Assessor Consortium & Highway Abstracts #2:

When asked, board members responded yes, they had reviewed the minutes, reports and abstracts. There was one correction made on the last minutes regarding which federal program the police department wanted approval for.

The Supervisor's Report showed the general fund received \$700,452.55. The highway fund received \$239,739.85. The assessor consortium received \$68,486.86. Disbursements include \$196,897.53 for general, \$57,585.46 for highway and \$15,393.27 for assessor consortium.

The February Abstract #2 dispersed \$454,592.61 from the General Fund, \$43,554.51 from the Highway Fund and \$3,770.00 from the Assessor Consortium.

On the motion of Farwell and seconded by Decker the reports were accepted as presented.

Clerk Comments:

- Heslin received correspondence from Sheen Housing whose mission is to provide safe and sustainable housing for low-income individuals. Information will be on file in the clerk's office if anyone needs it.
- The complete tax warrant (\$2,477,838.21) has been paid to the town.

Police Department Comments: In the month of January, the department conducted 73 traffic stops. There were 342 calls for service. The full report is on the website.

- Burch sat through the secret service behavioral threat assessment training.
- The department has started a threat assessment committee in the county that has been going on for well over a year. It is a team that people can make reports about individuals that they deem to be a threat in their community and they can come together with specialist and determine what services that individual needs or what action the team can take. There were three residents from Cuba on that last year that got the help they needed. Burch thinks it's a good idea for the Town to be a part of the committee going forward. Most of it has to do with mental health issues and getting people the help that they need.
- Officer Waters was injured over the weekend. She is ok, the person was arrested successfully during a domestic/mental health issue.
- New tasers are in and training will be in April.
- Burch completed supervisor school.
- Officer Cappelletti graduated from the police academy. He will be moving to regular duty.
- Officer Ahrens passed his PT test and physical so he can move on to competitive status.
- Completed blood borne pathogen training.
- Completed continuity of operations training which is if something were to happen to the station where they would move it to, if communications went down how that would be handled.
- Completed sexual harassment training and workplace violence training.

Ambulance Comments: The Cuba Ambulance Service responded to a total of 36 calls to service in January of 2026. 23 of those calls were taken to Olean General Hospital, 8 were taken to Jones Memorial Hospital and 4 were sign offs, 0 were taken by Mercy Flight and 0 were DOA. 24 of these calls were critical care with Cuba handling 22 and Olean 10/MTS handling 2. 12 of these calls were in the Village of Cuba, 18 were in the Town of Cuba, 1 was on the lake, 0 was mutual aid to Friendship, 1 was mutual aid to Clarksville, 0 were mutual aid to Ischua, 4 were to New Hudson, 0 was mutual aid to Rushford and 0 was on I-86.

- New tires have been installed on Cuba 8
- One member is currently taking the EMT-Basic class

- Appleby has replaced one of our stair chairs with a refurbished one. We have held a training on it and placed it into service. We have already used it on a handful of calls and have found it to be a big improvement over the previous ones. Only one ambulance has one, a refurbished one costs \$2,500 a new one is \$6,000.
- We have been asked to participate in the county wide Mock DWI program held at the county fairgrounds in Angelica.

Highway Comments:

- Plowed snow 13 days
- Piled salt/sand
- Cleaned shop floors and shop
- Brushing on West Main St. and Hamilton Hill

Equipment Repairs:

- Repairing wing arm and cylinder on Peterbilt
- Putting new deck boards on trailer
- Working on roller and waiting on parts
- Changed oil in loader, 2015 and 2019 Freightliners
- James asked how the Bull Street bridge project is going. It will be another 3 months at least. The new bridge will be 2 feet wider than the old one.

Sewer Committee: Harvey took care of one situation-the bill was sent to the homeowner.

Facilities:

- Security windows were replaced in the police department. The windows had been broken since the building was purchased.
- The 911 call box in the front of the building has been replaced.
- The police department can not have a printer that is accessible to anyone else in the building. Burch would like to discuss purchasing a large printer at budget time. The maintenance provider of the printer would possibly need to be finger printed and go through a background check. It will be discussed more at budget time.

Dog Control Comments: none

Code Enforcement Comments: Reed is working on his annual report.

Assessor: Snyder is finishing up another community and getting ready for the Cuba revaluation project.

Planning Board: Met with the Village and Keir Dirlam from county planning. They are redoing and updating the joint comprehensive plan. Dirlam suggested that if the Town is going to move forward with that a resolution will have to be done. Dirlam provided a copy of the resolution the Village did. The board can appoint from both committees and someone from each board should sit on it and the board can appoint from the community as well.

Old Business:

- Ambulance building-anything over \$50,000 will need to go through a procurement process. Appleby would like to wait to finalize a few things before presenting to the board.
- Last month Russ Hall gave a presentation about the 911 renumbering project. The first batch has been received; Hall is sending out letters to the households that need them fixed. After discussion, Farwell motioned for the Town to accept responsibility to pay for new 911 signs for those affected. Seconded by Beck. All in favor, passed.

- Revaluation project-a resolution has already been done to move forward with a revaluation project. Notices will be coming out regarding that.

New Business:

- The justice audit will need to be done by the end of February.
- The trail and safe routes grant-It has been 3 years since a route was looked at to bring the trail from the high school to Storyblock. The price of the trail system has increased in cost to almost 3 million dollars. It would have to be publicly funded with local funds. The company that came up with the redesign included two bridges instead of one. James has another firm looking into a safe path that would eliminate the two bridges. It is James's recommendation that if they can't get the cost down, the Town should forego doing that trail system.
- The government efficiency grant deadline has passed. The town will have to look for other sources of funding for a dog shelter and an ambulance building if the board wishes to move forward. Farwell asked if there was no money available for a dog shelter. James said there is \$30,000 and there are a few communities in Allegany and Cattaraugus County that have need and would be interested in a joint shelter, but it would need to be centrally located and the right size to serve the communities.
- The Whitford family is working with parks and trails on the Dan Whitford Memorial Entrance. Funding from the Allegany County Area foundation paid for all the environmental surveys, survey and attorney fees. The Whitford family will build the trail and donate it back to the Friends of the Genesee Valley Greenway which will then gift it to State Parks and it will become part of the State Park that is the Genesee Valley Greenway. This will connect from Route 305 to the Greenway trail that exists above the school. There will be a parking area. The town needs to approve a completed SEQR. Everything came back very good. Decker made motion to have the SEQR approved as a negative declaration. Seconded by Beck. All in favor, passed.

Public Comments: (Verbatim)

James: Okay, at this time, I know that the group here tonight brought a list of questions, and we only allot two minutes per person, and a total of ten minutes. I think this is helpful, so Chief Birch can certainly read through these, and I don't know if you've made some notations or comments.

Burch: Can I just have two minutes ahead of time to say something?

James: You may

Enzinna: I think we can give you more than two minutes.

Burch: So, I too, I reiterate what Councilman Enzinna said. I too received emails and messages, and mine called me Hitler, said I was running a Gestapo, I was racist, and that I was a, compared me to, some compared me to a Trojan horse, and that we were pulling trickery. Nothing could be further from the truth.

The Cattaraugus Allegany Liberation Collective, which I see a couple of shirts here, so I'm sure you guys are either involved or know about that, put a post out with false information.

The post that was put out was about our surveillance, which everybody has probably read my release by now. Does anybody in here have the time to read that? So, that program I instituted six years ago.

Cameras, as time goes on, can become tricky, because people, some people don't feel comfortable with them, and we totally sympathize with that. But they also help us often, and that's how, we have body cameras, imagine having one of those strapped to you every day at work. It's been one of the best things, one of the best pieces of equipment that we've invested our time and money into. They work well. But cameras in the public also help us. So, I'm not going to go through and explain the program again. Everybody's had a chance to read it.

But the name again, Cattaraugus Allegany Liberation Collective put a post on basically saying, not basically, directly saying that we were sewing division with that program, and that was a complete lie. Nobody ever reached out to me to ask further, except one local newspaper from St. Bonaventure, and I was able to explain it to them very simply. We've solved several cases with that program before.

I've put some of those cases on our press release. There's been others, but those were some of the more notable ones. So, with that being said, I am not, I do not like to be compared to Hitler. I am not running a Gestapo, and

I'm not racist, and I'm certainly not a Trojan horse. I've been here 21 years. I've been here 43 years. I've been doing this job 21. So, luckily it takes a lot to ruffle my feathers anymore. I've been doing this for a long time.

So, but if you guys, if you gentlemen or ladies or anybody in the crowd wants to start with the first question, I will be more than happy to explain these questions. And if you want to come over here and record so you can get a better view or hear me better, you're more than welcome to.

So, does somebody want to start with the questions? Maybe just start on the first one and I'll answer them all.

Suzanne Flierl: I'm actually not here for the questions but I stand here today.

James: Suzanne, as long as you're going to address us, we would like you to state your name. And also, we would prefer that it be, and I know you're a resident in Cuba.

Flierl: I am.

James: So, that is fine.

Flierl: All right. So, I do stand here as a resident of Cuba. My name is Suzanne Flierl. But I'm also here today on behalf of the Cattaraugus Allegany Liberation Collective in our sincere and steadfast opposition to this body's unanimous decision to approve the partial deputization of a Cuba law enforcement officer, to expand the force's existing collusion with the federal deportation process, and broaden its work as a customs enforcement auxiliary.

The official statement that was released by Cuba PD and shared on the village and town website actually does nothing to mitigate or diminish our concerns. If anything, it broadens them. Typically, state and local governments do not have the power to enforce immigration laws unless the federal government delegates that power to them. Your official statement merely acknowledges that our municipality has already been in collusion with ICE for a very long time and has welcomed ongoing efforts to federalize our local law enforcement agency.

Cloaking these dangerous practices in language of safety and community concern are, at best, naive understandings of the historic and current role of law enforcement agents. At worst, they are efforts to monger fear among our neighbors by othering and scapegoating particular individuals who are not represented by the community majority. In other words, they are either intentionally or unintentionally rooted in white supremacy and racism. For some, they are rooted in a type of Christian nationalist religion that would appall Jesus if he were present here today. In 2024, a congressionally mandated oversight report raised serious concerns and red flags about suspected civil rights violations within the 287G program. That report has not yet been released and there are concerns that it may have been suppressed from publication. For any community to enter into a program without thoroughly examining such reports is unconscionable. Furthermore, the 287G program is so notorious that the UN Committee on the Elimination of Racial Discrimination specifically criticized it in 2022 for promoting racial profiling and called for its end. Nevertheless, as of February 12, 2026, the ICE website itself states that the federal government has signed 1,415 memorandums of agreement for 287G programs covering 40 states. More than 1,000 of those agreements have been initiated since January of 2025. That means that 1,415 agencies are complicit in racial profiling behavior that is abhorrent to the global community and which should be abhorrent to all residents of Cuba, New York. We urge you to rescind your approval of this application process regardless of whether or not the governor's effort to end local agency collusion with ICE moves forward. Thank you.

James: Thank you, Suzanne. If we're doing statements, please keep it to the two minutes and 10 because we do need to go into executive session tonight as well.

Flierl: I have a copy of them if you'd like to include them with your minutes.

James: Sure.

Flierl: Can I approach this?

James: Yes, of course you may.

Heslin: Thank you.

James: Thank you.

Tina Dalton: Hi

James: Oh, Tina. I didn't see you jump up.

Dalton: I'm Tina Dalton. I live here in the village. And I'm here tonight to urge you to rescind your decision to enter in the 287G agreement with U.S. Immigration and Customs. In his statement to the public, Chief Burch cited two examples of undocumented immigrants who had committed crimes in our community as justification for why Cuba needs to enter into this agreement with ICE. However, he also says in his statement under the Section 287G agreement to train officers that this agreement, quote, "Is to identify suspected immigrants who are here

illegally not charged with crimes” close quote. So, which is it? Do we need to enter into this agreement to help us with criminals? That's not what this program is about, despite what Chief Burch's statement says. This program is specifically for rounding up suspected illegal immigrants. It's based on racial profiling. This program has rounded up countless reports of people locked up in ICE detention centers who are here illegally or who are citizens. Locked up for weeks because they are people of color. We don't want this type of program in our community. Our schools, hospitals, daycares, and courts need to be safe spaces where people can go without fear of being profiled. Our officers are here to protect us and serve this community, all of it. Their job is to build trust, solve crimes, and respond to emergencies. We saw the fear that this program creates play out in real time as fears spread through our community like wildfire when they heard about this agreement. Large cities with big immigrant populations such as Buffalo, Albany, and New York City have not seen a need to enter into these agreements. In fact, they've rejected this program. So, I don't see why a small rural community such as ours with a 95% white population needs to pursue it. We can support our law enforcement and public safety without blurring these lines. I respectfully ask you to reject this agreement and keep our local police focused on local priorities. Thank you for your service and dedication to our community.

James: Thank you. Shannon?

Shannon Albert: My name is Shannon Albert. Thank you for your service to our community and thank you for the opportunity to request clarification about the 287G ICE Agreement that the Cuba Town Board approved unanimously last month. Last week I sent an email to the Board about my initial concerns. Tonight, I'm sharing some additional concerns that have been generated by our group of about 50 concerned citizens. We would like to call your attention to the current reports that citizens and non-citizens nationwide are experiencing human rights violations. That include unnecessarily violent detention, undue force, and death due to ICE actions. This is causing fear and mistrust in communities. Citizens of the United States are guaranteed a right to a redress of grievances in all levels of government. We hope that you will make an exception and allow everyone with concerns here tonight a chance to speak. I will begin with the first four questions from our group. Number one, which of the three main types of models has Cuba committed to? Number two, on the informational page from ICE, the task force model appears to be the only way to receive funding. But it states, identify and report suspected aliens not charged with crimes. How will the officer find these immigrants that have not been charged with crimes? Number three, in Chief Burch's explanation, the word “suspected” is used. What specific factors will the police department use to determine suspected immigrants? Number four, will this agreement put an unnecessary target on the small group of people of color in our community? In conclusion, I hope you will reconsider your support of this agreement and the potential harm it can have in our tiny, peaceful community.

James: Thank you.

Burch: Can I answer those questions?

James: Yes, but I still want to stay on the time frame. This is not a public hearing, and we do not have to go through all these. And I appreciate everyone being here, but we do have other business to conduct in executive. So, if they're, I mean, but certainly if you want to address those more.

Burch: I would just say the task force model is what we're looking at, but we haven't signed up for anything, because it's our understanding that the governor is looking at an executive order to stop this from happening.

Now, with that being said, we, we, I don't look at it as racism. I look at it as my job is to make sure our community is safe also. The last thing I would want to do is be racist towards anybody, but, but these different countries, these are, these are where these people are coming from. So, it happens to be a different ethnicity, right? But what we run into, so like on question number two, the informational page you're asking, it allows us to identify reported suspected aliens not charged with crimes. The problem we run into is if we have a traffic stop or a DWI accident where another car is hit, or there's damage to property and the driver's intoxicated and they have a passenger in there that might not have citizenship in the United States. Part of our investigation is to get the occupants information to try to make sure that we're going through the motions for medical aid to people, things of that nature. And when that comes up, we have to be able to identify the people in the car. Now, the example I gave you before, we had a gentleman run into the gas pumps at the story block, and they damaged it, they were intoxicated, and they did not have citizenship. We weren't even able to, there was no social security number, there was nothing attached to that individual when a crime's committed, for us to even do a criminal history or to even try to start the process of charging to make sure we're charging the right person. This particular individual gave us

the wrong information, tried to hide it from us. Secondly, without having the proper training, we can't identify what a fictitious green card or a real green card is. We can't identify a 90-day temporary stay or grant of stay. We can't identify a 30-day. We can't tell if they're giving us something that's printed on a 3-D printer or a printer that, because the printers and the way that they're running programs now are very easy for people to make fake IDs too, right? So, those are the things we would be looking at. The suspected would be the passenger in the car. We are not going door-to-door looking for anybody, but we have had three incidents where we have had an illegal, a person that's here undocumented, and we have had to deal with them in a criminal manner, and we can't just turn our eyes to that. You know, they're in our community, and they commit crimes sometimes, like the average person that lives here, or average resident. So, yes, sir.

Chris Dalton: Chief, I think some of the concern here is about the financial incentivization here going on. I mean, how is that going to change your policing? I mean, that money involved is an impetus. There's sort of a reward aspect for seeking out and finding those.

Burch: Depending on how you look at it. So, if we have a large...

C Dalton: Well, I think that's a big concern. And, I mean, I trust you guys. I live with you guys. You know, you're my neighbors.

Burch: Sure.

C Dalton: And I trust you, but there is something systematic here that I think a lot of people have as a problem.

Burch: Sure. And if we have a... If we have... Which we don't have here, it's not thankfully, but thankfully we don't have a large crime involved in it. But when we do, so when we had the issue with the factory where they were manufacturing marijuana, and it was in a deplorable condition up there, it was disgusting. And there was one illegal immigrant there. If they had had a bunch of them in there working, like we've seen at some local farms and places, and we had a lot of resources there that were expended, which we did anyway. But under this program, they allot for... If we have the training and we had someone that was committing a crime, we could transport them to the jail like we would any criminal. Right now, we can't. So, in that situation, if we had a large operation where we were there for hours, they reimburse X amount of dollars up to \$100,000 towards... If we needed equipment, if it was an operation where it was like something in the woods where there was a drone, if it was overtime, we probably won't ever run into that. But I'm not worried about the financial part. I'm more concerned with... I don't have an officer that even knows how to... If some random person calls and says, there's a... I think there's an illegal immigrant on Main Street right now attacking somebody. Say they were in an altercation and we go down there and it's... That's not the case. They hand us a green card. We don't even have an idea of how to identify a proper green card. We don't have the training on it. So, we would have to detain them, depending on the situation, and call ICE and have them come down and run through the rigmarole of trying to identify someone, making sure they're here legally. And I would rather have somebody trained that knows how to identify it because we have the interstate that runs through here. Lots of people get off that interstate to get gas, to stop and get food, things of that nature. We see it all the time. And if we run into an issue, I don't know and my staff doesn't know how to identify. Number two, if ICE were to come down here and start knocking on doors or doing whatever they're doing in communities, I would rather have an officer that's trained and I would rather... And if people want to take this the wrong way, so be it. But my intentions are, I would rather be able to speak with them as a liaison and find out what's going on in our community before we find out at two in the morning, if there is an operation that was going on. And I don't think we're going to have that anyway. We are a very small town, which is what makes this place wonderful. We still have crimes that happen. We still have to deal with a lot of things here. And immigration might be one of them at some point. It could be our luck that at two in the morning, we have a crime committed involving one. And I don't have staff that even knows what to do with it right now. Number two, the jail has taken federal... immigrants before for like the past 25 to 30 years. Nothing that we're doing now is any different than it's ever been, except that we aren't able to transport them over there if we have one committing crime. Period. And it takes hours for someone to get down here to assist us. And the fact of the matter is, is if we had someone commit a heinous crime, just like we've had people that live here and have been residents here for years, as a white person or of any other ethnicity, we have to keep the community safe. You know, not everybody that came, is coming through here or living in this community that's come from another country that came here legally is an upstanding citizen. Some are going to be bad, just like we have a large population in America of people that were born and raised here that commit crimes. It's not you or I, right? At least not now. Hopefully not

in the future. But, you know, we still have to keep, you know, our community safe. And we don't have any way to... I have no idea how... We have no way to even run somebody. Wouldn't it be a shame if somebody was here legally and someone made some kind of false complaint, because people do that with us all the time, and we wasted five hours of someone's time for ICE to come down when we could have been trained to identify and say, you're wrong, and they're free to be here. I have no way to identify them right now and my staff doesn't either.

Jennifer Burdsall: Excuse me, can I ask a question? Lee, you, I think you hit the nail on the head when you said this is not a town hall meeting. I think that's where the board made a huge mistake. Not you, sir, but the town board. We probably should have had a town meeting and a village meeting presented to the residents that live here. This is what's happening or on our agenda or it's been created. Let the people that know about this so they... Because you're running into all kinds of trouble now because people are starting to feel very uncomfortable about this. They're not exactly sure about the police department now, which that's unfortunate, but you kind of created a...

James: So...

Burdsall: You created something that wasn't necessary.

James: I would just correct. This is a town board meeting.

Burdsall: Well, a town hall meeting, excuse me.

James: And we don't... So, this is not a public hearing.

Burdsall: Okay, that's fine. Yes. But that should have maybe... Maybe that's maybe what you should have done. I don't know if you can. But if...

James: Well, we would have to advertise in a public... There's way... You have to do certain steps for things like that. So...

Burdsall: I think if you had done that to begin with... She could have spoken. All of you could have... You sent your ideas. How this even came about to where... At this point... Um... I don't think you'd be having the reactions that you're getting.

Burch: We had a... We had a regular board meeting and the public was welcome, but only a few people come to those. And, um...

Burdsall: You know, because now it's like... Now we've got all these questions. Yes, you've got, you know, one of the officers that was going to go through some training. Um... It's just... I think you're just... There's been a problem that's been created that really didn't need to be created here. Um... I think it could have been handled differently.

James: Well, I think...

Burdsall: That's just my personal opinion, but I don't know how you would handle it differently, but...

James: I would just like to say this, because I do respect you very much, though, Jen, and everything. Well, the thing is, people... I mean, we have business to conduct, and it's on a regular basis. Our chief always is giving his reports, and people are welcome to these meetings. And then somebody took out of context, a little piece or a snippet of minutes that really... Minutes are just a summary, and it doesn't have everything within it.

Okay. So had you been at the last meeting of the town board, that may have come out.

Burdsall: Okay.

James: And then those questions could have come to us before that.

(People talking over each other)

Emily Sprague: I would love to expand this one. Is it too late? It's clear there's a lot of people here that have a lot to say, feelings are big. Is it too late to hear and create a setting? Is it too late? Are we locked in with this decision? Is it negotiable? Can we create a town forum or some setting that is more appropriate? Because obviously you have a lot of important stuff that you've got to get done. I can respect that, but I just wanted to say, is it too late? That's my question, I guess.

James: So, it's my understanding, and after Shannon came in, I had a minute in between the planning board meeting and whatnot, so I called the governor's aide that I have a contact for, and I spoke with him, and I asked him where things stood, and it will not be through executive order. They are working on a bill that is being published, and it's working its way through the Senate and the Assembly right now. So, I would encourage that you reach out to your state representatives as well and let them know. We don't make the state, nor do we make federal laws. What we do try to do is to consider the public safety and keep everyone in our community safe. And

certainly, we see everyone here tonight, and thank you for coming out. I would rather have somebody come and sit through our board meetings and hear firsthand, you know, all the time. We would welcome you here, not just tonight, to come and bring your concerns and issues through. There's a lot of questions on here, and in consideration of time, I think that we would like to look through those, and then, you know, certainly we can respond to these. If not here tonight, we can certainly go through those. Are there certain ones of these that you feel are more consequential? Or, I mean, we certainly have heard you. And that's what I think John's point was earlier, is that listening. And I think you have, I mean, taking things out of context and reposting things and people, you know, it seems like if there were those concerns that we've always been open and accessible, and certainly people know where I am, because, you know, in the grocery store or anything else, you know. So, you know, we're always willing to listen and certainly can take into consideration your comments and concerns.

Albert: I did reach out to a board member prior to posting anything.

James: Okay.

Albert: And got the background information. And then some of these questions were generated prior to the chief putting out his statement. So, some of it has been answered. Okay. But we are willing to sit with the chief and discuss at some point when, if he's available.

James: So, I would make an appointment with them.

Albert: And we have a large group of us here tonight. But there's still some other people who are here that maybe want to speak that don't, that weren't part of this questionnaire.

James: Okay. So, I respect that. Sure. Okay.

Lynn Fulmer: Let me ask quickly. When you say the ICE agent takes a long time, the ICE agents to come down, where are they coming from?

Burch: Usually Buffalo, sometimes Rochester, but it depends on what they're on to. So, we need that to come down to verify. It can be between three and five hours typically. And then, of course, throw into the factor that one time we got one it was like two in the morning. So, that changes the dynamics, too.

Mike Kunz: How many local police agencies have signed on to this? That you are aware of.

Burch: I know that a lot of sheriff's departments, Allegany Police Department, I think Allegany might be the only one that.... I've never really asked anybody. I'm just looking at it from Cuba's point of view on what we could be here and how to mitigate having something that is going on across the country where we can actually be here in control of the situation or something happens. So, I haven't really asked. I just looked at the benefit for us to have some knowledge and some training on it before we're just, something does come up and we're just trying to throw something against the wall.

Tina Dalton: We'd be the first one from our county.

Kunz: I just want to say thank you for building these questions. We should, most of the library board, the school board, the town board, the village trustees, most don't have a salary. They don't have, and if it is, it's a pittance. We understand that you're doing your best to represent all people in our community. And you do it based on information that we don't have. So, I think this is kind of piggybacking with what Jennifer said. Because we kind of hit us, kind of quick, I really appreciate the effort that Dustin put into responding to the rhetoric, right? Because that answered almost every question I could even think of. So, I appreciate that. We should not abuse our elected officials in any way. What happened. What the things you cited, being called Hitler, etc., etc., that should not happen. That is not the way our democracy should function. So, I'm sorry that happened. But we do want to have our faith and work together to make this community stay as good as it's been all these years. I really object to masked ICE agents where that just screams, this isn't America. So, there are just some things that have been seen over the last few months that are just beyond the pale. We don't have the same information that the board members had when they made their unanimous decision. We respect and we trust, I trust you to get information before you make such a momentous decision. I thank you for your service.

Burch: So, there was a long discussion on it. Before we went down through these

Flierl: I feel compelled to make it very clear that the Cattaraugus Allegany Liberation Collective did not call you any of those things.

James: No, no, no, no, no, no, no, no. It's not you.

Flierl: We didn't abuse any of the members of this board, just to be clear. I'd like the record to show that.

Burch: The people that did that, I don't know if they're part of the coalition or not, but it wasn't the coalition itself.

Albert: Can I say one more thing? I just wanted to say that I think that you at least understand our concern with what's going on nationally but, I haven't really heard that from anybody yet. That why are we so upset? Well, you know, turn on the TV. Everybody's upset.

James: I don't turn on the TV.

Albert: It's a very controversial thing now. And I just would like to hear that you understand what the concern is.

And honestly, in my letter, I didn't send it to you because I thought you were doing your police thing. I sent it to the board. So, I just hope that you would just acknowledge that our concern is valid.

Burch: I think we don't have any say over, you know, we don't, we won't be wearing masks. We will never be going door to door looking for them. That's not our job. But for me, I've always been trying to be forward thinking when I see something that could be potentially a tidal wave coming or something that could be a little blip. I've seen all sorts of different things over the time. I'm not saying this is a blip. I'm not saying it's going to be a tidal wave. But it could be somewhere in between. You never know. But this is, you know, we don't have this issue in our community right now. And I don't hope to anticipate having it. But I would rather be prepared. Know what the training is. Know what the documents are that we don't even know how to read them right now.

Rather than wait until something happens. And have everybody trying to beat down the door. You know. So that's, you know, that's where I'm at with this. You know, we just, I've always read, I've always liked to be trained and prepared. You just don't know. But we will not be wearing masks. If we ever did go through with this, we would be having one officer get training to understand how and what the green cards look like. Things of that nature. Or what to look for to identify one that might be a fictitious one. How to tell if one's real. And he would just have the idea or the training to know how to do that to advise anybody else in our staff. And we would call him if something came up and he could identify for us. Rather than having to have ICE here doing anything like that. And we wouldn't be in masks. It would be someone in our community that knows the community. Knows the location. And then the only other thing is, is if we had somebody commit a crime and we got that and they committed a crime and we had to charge them. We would be able to transport them into jail like we would anybody that committed them. And we're talking like major felonies or things that they actually could be bailable for.

T. Dalton: But the actual program says to identify suspected illegal immigrants not convicted of crimes. So, if you get pressure from the federal government to start profiling, will you push back further?

Burch: Yeah. I will never profile. How many times have I talked to you on the phone?

T. Dalton: I know. I know.

Burch: You know who I am. Yeah. You know? Everybody, most people here know who I am.

Michelle Miller: But this is the thing. It's the money. Money has strings attached. And you will be held accountable for the money given.

T. Dalton: I agree.

Miller: And that is, that's the potential problem. Like you're looking at potential problems. One of the potential problems is this is not free money.

Burch: Yeah. Right. But we don't even have to accept money. But I, regardless.

Miller: That's fine. Do not.

Burch: Regardless of a 287G program being canceled. I, I already, because we had a meeting on this with a, with a special agent in charge of it for a local office. And I've already, I've already, I already want to request some sort of training with them so we know these documents regardless of this program. Because this has been an issue for years.

Sprague: Is that an option to do that?

Burch: That's, well, that's something that I'm looking into.

Sprague: But that might make people feel a bit more comfortable.

Burch: But I don't care anything about the money. But we have, we have, if somebody, if somebody in this room at some point in time has an illegal immigrant break into their house and commit a heinous crime or something, you know, how, how would you feel then if there was no way to tell who they were or trace them or go back through a criminal history or we couldn't even do anything with them, you know?

Miller: I'm angry at anybody who does that.

Burch: Yes, exactly. And so that's my thought. But see, I understand how everybody in here is looking at it from the race point of view and all those things are valid points. But understand where I'm coming from. I am looking through it, through the lens of public safety. Okay. And that's what I'm, what you all pay me to do. And you pay these guys, well, they all donate their salary so they don't get paid, but they're elected to be here and make these decisions with me. I bring this, I solely brought this to them in the, in the fear that I was worried that if something were to happen, or we had, even if we had 15 ICE agents show up with masks on, I would like to go out and talk to them and say, what is going on here, right? This is our community and I live here, right? But I bring this to these people. They're the elected officials. They're the ones, everybody in this room, or a lot of, majority of the people voted to have in this position. The monthly meetings are public. Anybody's welcome. We discussed tons of stuff. And we discussed this at length. And there was probably six or seven people here when we did it. So it wasn't, nothing would ever be hidden. There wouldn't be any agenda. You know, I think doing something like this and making an appointment by, my email is, is always on our website. It's on our social media. It's all over the place, would be a better avenue than some people have taken by kind of doing what some people accuse us of doing here in this instance. Because they're not taking facts and they're stirring divisiveness too, very poignantly. And that has caused fear more than anything that we did here. And the people that did that, or the people that called me racist or other things, ought to be ashamed of themselves. People that work in our schools, people that where my son goes to school. I would never do that to somebody. And instead of calling me like a professional, they chose to call me names. Or they want to berate people here who are elected to make these decisions. If you don't trust them, elect somebody else. And I take your points, and I take it under strong consideration. I feel the way some of you feel on a lot of things. But I have to be concerned about everybody's overall safety also. How many people are here tonight? Forty? Does anybody know how many residents live in this community? Between three and four thousand people. I serve everybody here. So, they're valid points you guys have. I understand. And I would never, and if you don't want to believe me, I understand that. But I've been here 21 years. I've started a lot of outreach programs. I've been probably one of the most transparent police chiefs in our county. And tried to be forward thinking. I said at my release, I coach people's kids here. I read it to the kids in the school. I would never push any kind of view either way on any of this stuff.

Sandy Tsujimoto: I don't think anyone's questioning that about you, Dustin.

Burch: Well, some people have.

Tsujimoto: Maybe that person or persons are not in this room right now.

Burch: Could be. But people need to understand where we're coming from, too. And that these guys are elected to make these decisions. Come to board meetings. People don't get it. I mean, we were the mayor for a long time.

How many people? Sometimes we used to talk at.

James: Then she decided to be a trustee again.

Miller: It was easier

Burch: But people don't come and get involved.

Albert: Yeah, I think that's what we're trying to do. We've been trying to do that since the last election. And we're slowly growing and building. And hopefully we can continue to do that and get more involved.

Burch: And I appreciate your comment, too. And there are some people in here that did that, too. So I kind of want to make that point. But I appreciate everybody's.

Mary Lindquest: If you don't have the training to identify a green card, then you're not doing your job, as far as I'm concerned.

Burch: Well, we're not federal agents. So, we're not going around. But if we encounter one who's involved in the crime or associated yes.

Lindquest: Right if you come in contact with one, like you told us at that one board meeting.

Burch: Then we are obligated to report that. Yes. It's been that way for years.

Lindquest: But if you don't have the training, or somebody in the group doesn't have the training, then to me, you're not doing your job.

Burch: And I should have asked for this a long time ago as far as recognizing these IDs. But I didn't because it really hasn't been an issue. And I don't think it's going to be a big issue here. But now that it's a hot topic everywhere, I would rather not look like a fool going forward if we run into that problem.

(?) So can you get the training without having the ICE?

Burch: Well, it looks like that's probably what I'm going to have to request.

James: That's what he's trying to do.

Burch: It looks like they're going to cancel that. But we won't be able to take someone. So, if we have someone commit a crime or they're associated with it in the course of our investigation, and we have to report them, they're going to have to be detained for something. Maybe we'll get lucky, it'll be an hour and a half. But sometimes it might be longer, and it's going to cost extra overtime for us if it's not reimbursed. Because I'll have to have, if it's a female, and I only have one female officer, and she's not available I'll have to have two male officers with their cameras on them. So that they're, you know, we do that with any female in custody if there's two males. So, it'll just cost us money. And under this program, it would reimburse a lot of that.

(?) So if you did that, say you had someone and you had to keep them here for a few hours, would you be able to move them to Belmont? Would that be a solution?

James: No.

Burch: Only if we did the 287 training.

James: It's federal law.

Burch: Because it's considered a limited deputization. So we would only send one person, and if they would be able to go, we could call them in. They would be authorized, and they would know what to look for, but then it would just be their hours would be reimbursed, so that the local taxpayers aren't, because it's more federal.

James: And otherwise, we have to call somebody else in to cover their shift. So if somebody else has an emergency, then it leaves us short-handed. And we have people that do not want us to have as big a police force as we have, which I don't think we have a big police force. And, you know, so you can't win sometimes with certain things. But I think we all heard you very clearly, and certainly appreciate that everyone did come out and took some time, especially on such a nice, warm night.

James asked to back up to pass a resolution to form a comprehensive plan committee. Decker motioned to form a comprehensive committee and to work on the comprehensive plan as laid out in the statement, seconded by Enzinna. All in favor, passed. Tina Dalton and Jonathan Enzinna volunteered to be on the committee.

At 8:26pm Farwell made a motion to go into executive session to discuss contractual and legal matters. Seconded by Beck. At 9:04pm the meeting reconvened with a motion from Enzinna seconded by Decker.

Farwell motioned to retain Richardson, Pullen & Buck, P.C. for 2026 as the town attorneys at the proposed rate. Seconded by Beck. All in favor, passed.

With no further business to discuss, Beck motioned to adjourn, seconded by Enzinna. All in favor.

Respectfully submitted,

Allesia A. Heslin, Town Clerk