

April 1, 2026

Special 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, Jonathan Enzinna, Bill Beck, David Decker

Also Present: Allesia Heslin, Town Clerk, Chad Smith, Highway Superintendent,

Absent: Aaron Appleby, Ambulance Administrator, Dustin Burch, Chief of Police

Supervisor James called the meeting to order with the Pledge of Allegiance at 4:02pm.

Supervisor James asked Heslin to perform a roll call of present members: Chad Smith, Jonathan Enzinna, David Decker, Lee James, Melodie Farwell

James asked to skip down on the agenda because Bill Beck was running a little late.

James had a conversation with Community Broadband Networks and while the route looks like it goes over where Armstrong lines are, it is expanding a little bit further than that. Community Broadband networks will provide James with additional information. The board's concern is that it is going in the same path that many people in the village didn't have a choice to use and residents in the village are forced to use Spectrum or Verizon. New York State access grant gives Community Broadband the ability to provide service so if the line is going past your house, you would now have the option to choose Community Broadband.

James asked Smith if he had any concerns on any of the roads along the broadband route. Smith was wondering how they are going to reach some of the electric poles that are deep into people's property. The route will be following the electric poles.

The board will sign off on the issue at a later date after more information is given.

Heslin presented a request from the VFW that the open container law be waived from April through September 2026 for the yearly horseshoe competition. On the motion of Decker. Seconded by Enzinna. All in favor, passed.

Smith discovered that a contractor was out on some of the posted roads without a permit. Work is currently at a standstill. Smith gave them all the information and the company is supposed to call him back. There is approximately a mile of road that is cracked. Discussion continued.

The highway crew helped out Caneadea with flooding damage.

James turned discussion to the Article 78 and returning the tax roll to 2023.

Pursuant to the February 11, 2026 Supreme Court of the State of New York Appellate Division 4th Judicial Department:

It is hereby ordered that the judgement insofar as appealed from is unanimously reversed on the law without costs, the petition-complaint is denied in its entirety, and judgment is granted in favor of respondents-defendants. James noted again that the roll is valid and if the board is going to go back to the 2023 roll it is now a critical point for that to happen so that the assessors and the county have enough time to adjust and get it back to the state so they can correct the equalization rate. It will not fix the June taxes for the village but it should fix it in time for the school taxes in September. James asked if any discussion was needed. Farwell asked if there would be any recourse for the people who were injured by having to revert the roll to 2022? And is the town at risk of those people filing a lawsuit? James stated that the board was following the judge's Order and the board made the

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initial decision with the best information possible at that time. It doesn't give the board the ability to give refunds or charge those that underpaid. It would be correcting the roll moving forward and the assessors will still complete a revaluation this summer. Changes from the revaluation will not be reflected until the 2027/2028 school taxes. Reverting the roll to 2023 should bring the equalization rate to 80% due to recent sales. This doesn't alleviate the article 7's that are still in litigation and will need to be dealt with. Discussion continued.

Farwell motioned to reinstate the 2023 tax assessment roll as ordered and affirmed by the Supreme Court of the State of New York Appellate Division 4th Judicial Department. Seconded by Enzinna. All in favor, passed.

Bill Beck arrived at 4:25; the board brought him up to speed.

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

Respectfully submitted,

Allesia A. Heslin, Town Clerk