

January 4, 2018

The Mina Town Board met on the above date for the Annual Organizational Meeting and the regular monthly meeting. Supervisor Brumagin called the meeting to order at 7:01 p.m. by leading with the Pledge of Allegiance to the flag. The following members and guests were in attendance:

Present:       Rebecca Brumagin.....Supervisor  
                  Dennis Luce.....Councilman  
                  Ernie Roache.....Councilman  
                  Dick Watrous.....Councilman

Absent:         Dave Wilcox.....Councilman

Attended by: Dennis Cooper (Town Justice)(7:30), Bill Himelein (Highway Superintendent), Terry Phelps (FL Volunteer Fire Department)(7:03), John Shifler, Andy Travis, JoAnne Travis

**Oath of Office:** Supervisor Brumagin swore in the following elected official:  
                          Ernest Roache – Town Council

**Minutes:** Motion was made by Councilman Watrous and seconded by Councilman Luce to accept the minutes of the December 13, 2017 meeting and the December 28, 2017 year end meeting as presented. Motion carried unanimously.

**Comments/Concerns from those present:** none

**Comments/Concerns from those not present:**

- Supervisor Brumagin reported that she received a message regarding the highway department plowing icy debris from the town roads and that it was clogging up driveways. Superintendent Himelein reported they have been out each day and are making sure roads are plowed and intersections are being kept clean. He stated they are using a salt and sand mixture as they are no longer able to use brine; this causes more of an icy buildup.

Councilman Watrous mentioned that the gates to close off I-86 were used on Christmas Day and wondered about notification when this goes into effect. Discussion held. Supervisor Brumagin will contact county emergency services about the procedure.

**Executive Session:** At 7:12 pm Councilman Luce made a motion, seconded by Councilman Watrous to adjourn to Executive Session for a personnel matter. Motion carried. At 7:29 pm Councilman Watrous moved seconded by Councilman Luce to return to regular session. Motion carried unanimously.

Justice Cooper reported that the state is now requiring that all arraignments have counsel present. Because of this, the county plans to hold arraignments every evening at the court offices in Mayville for all felonies and misdemeanors. The Town Justices have been asked if they would like to provide coverage on a rotating basis and they will be paid extra for their service.

Supervisor Brumagin asked the Town Clerk to read the legal notice on the town board meeting.

Supervisor Brumagin then moved to the organizational meeting portion of the agenda.

### **Resolution #1-18**

The following resolution presented by motion of Councilman Luce, seconded by Councilman Watrous was passed unanimously: BE IT RESOLVED THAT the Town Board of the Town of Mina hereby agrees to authorize the Findley Lake Volunteer Fire Department and the Sherman Fire Department (Stanley Hose Co.) to conduct fund raising activities and will provide its assistance by encouraging the community to support these activities.

Ayes – 4 Brumagin, Luce, Roache, Watrous

Nays - 0

A motion was made by Councilman Luce, seconded by Councilman Roache and passed unanimously to hold 2018 monthly town board meetings on the second Thursday of the month at 7:00 P.M. at the Mina-Findley Lake Community Center with the exception of April and May being held the second Tuesday of the month.

Councilman Luce made a motion to authorize the use of Community Bank, N.A. as the depository for the town's funds, seconded by Councilman Watrous and passed unanimously.

Councilman Watrous moved, Councilman Roache seconded the motion, and it passed unanimously to establish the Jamestown Post Journal as the official newspaper of the Town of Mina.

Councilman Roache made a motion, seconded by Councilman Watrous to continue membership in all the municipal, county and state associations. Passed unanimously.

Councilman Watrous moved that the wages of the highway employees be set at \$18.65 per hour from January through December 2018. Motion seconded by Councilman Luce and passed unanimously.

Part-time (temporary wages) highway help be paid at the rate of \$12.00 per hour and highway personnel during the introductory period be paid at the rate of \$12.00 per hour. Temporary help to be hired only when a full time highway employee is unable to work and then authorized only by the highway committee if the highway superintendent is unavailable for the authorizing. Motion made by Councilman Luce seconded by Councilman Roache. Motion passed unanimously.

Councilman Watrous moved that employees eligible for health insurance pay 10% of the premium which equals \$55.77 per biweekly pay for 2 person coverage, \$47.41 per biweekly pay for employee and children, and \$79.48 per biweekly pay for family to offset the cost of the monthly insurance premium. The amounts will be deducted from wages pretax under Section 125 of the IRS Code unless the employee signs a waiver form. This motion was seconded by Councilman Luce and was passed unanimously.

Councilman Roache moved, Councilman Watrous seconded the motion to authorize the highway superintendent to advertise for bids for all necessary supplies for highway use in 2018. Passed unanimously.

Councilman Watrous made a motion that the town officials' salaries are to be as adopted in the final 2018 budget. The motion was seconded by Councilman Luce and passed unanimously.

Supervisor Brumagin made a motion to appoint Dennis Luce as Deputy Supervisor for 2018, seconded by Councilman Roache and passed unanimously.

Motion was made by Councilman Luce, seconded by Councilman Roache that all town officials be paid 50 cents per mile for use of their cars while discharging official town duties. Carried unanimously.

A motion was made by Councilman Watrous and seconded by Councilman Luce to appoint the law firm of Wright, Wright & Hampton as Town Attorney. Passed unanimously.

Motion made by Councilman Watrous, seconded by Councilman Roache to authorize the hiring of a legal stenographer at legal rates for any necessary hearings by town officials in the Town of Mina in 2018. Passed unanimously.

Councilman Luce moved, motion seconded by Councilman Watrous to reappoint Mary Norcross as Town Historian. Motion passed unanimously.

Councilman Watrous made a motion, seconded by Councilman Luce to reappoint Sandy Kochanowski as Dog Control Officer at \$11.91 per hour. Motion passed unanimously.

A Motion was made by Councilman Roache, seconded by Councilman Luce to appoint Craig Tenbuckel as Deputy Highway Superintendent at \$18.85 per hour. Motion passed unanimously.

The Supervisor made the following appointments for various committees:

Highway and Cemetery Committee:

***Dick Watrous***

***Dave Wilcox***

Recreation Committee Liaison

***Ernie Roache***

Insurance Committee:

***Rebecca Brumagin***

***Dennis Luce***

***Ernest Roache***

***Richard Watrous***

***David Wilcox***

Community Center Facilities Coordinator:

***Rebecca Brumagin***

Refuse Service Liaison  
***Ernie Roache***

Coordinated Assessment Program Committee  
***Rebecca Brumagin***  
***Dennis Luce***

Councilman Luce made a motion to designate the Mina-Findley Lake Community Center as the official polling place of the Town of Mina for 2018. The motion was seconded by Councilman Watrous and passed unanimously.

The Supervisor's Bookkeeper is authorized to pay utility bills and insurance premium bills due rather than waiting for the monthly audit, thus eliminating late charges. Councilman Watrous moved to authorize payment, motion seconded by Councilman Luce and passed unanimously.

Councilman Watrous moved, seconded by Councilman Roache to authorize the Highway Superintendent to clear snow from the following areas: Findley Lake Volunteer Fire Department, Mina-Findley Lake Community Center, New York State DEC Fishing Access area, and Findley Lake Watershed Foundation area on Main Street. Motion passed unanimously.

Councilman Luce moved, seconded by Councilman Roache to authorize the Highway Superintendent to remove accumulated snow on Main Street to accommodate the width of parking a car. Motion passed unanimously.

Councilman Watrous moved, seconded by Councilman Luce to authorize the Highway Superintendent to occasionally remove snow on Main Street that has been plowed to the side of the road when there is a significant accumulation of snow. This does not authorize the highway superintendent to clear snow from the sidewalks as that is the responsibility of the property owner. Motion passed unanimously.

A motion was made by Councilman Roache and seconded by Councilman Luce to fill the following positions with the following individuals:

Sherrie Tanner – Records Management Officer, Registrar of Vital Statistics and Accessible Parking Permit Agent,

Audrey Sliker – Deputy Town Clerk level 1 (\$10.40 per hour), Deputy Records Management Officer, Deputy Registrar of Vital Statistics, and Deputy Accessible Parking Permit Agent,

Jodie D'Anthony - Justice Clerk (\$13.37 per hour) to assist with records and take minutes of court hearing,

Jessica Ball – Custodian at the Community Center (\$10.40 per hour),

Melanie Eddy - Building Inspector (\$5,631.00 per year) and Zoning Code Enforcement Officer (\$5,631.00 per year),

Phil Persons was appointed to the Zoning Board of Appeals as an alternate for a five year term ending December 31, 2022,

Joe DeBoe was appointed for a five year term ending December 31, 2022, to the Zoning Board of Appeals,

Nancy Roche was reappointed to the Recreation Committee for a five year term ending December 31, 2022.

Motion carried unanimously.

### **Resolution #2-18**

Resolution #2-18 was passed eliminating winter maintenance of Fox Road, Klondyke Road and part of Gas Well Hill Road at the request of Highway Superintendent William Himelein. Councilman Watrous made the motion to adopt the resolution, seconded by Councilman Roache and unanimously passed.

Ayes – Brumagin, Luce, Roache, Watrous

Nays – 0

A motion was made by Councilman Luce and seconded by Councilman Watrous to designate Rebecca Brumagin, Mina Town Supervisor as the Town's Disaster Coordinator. This motion passed unanimously.

### **Resolution #3-18**

On a motion of Councilman Watrous seconded by Councilman Luce, the following resolution was

Resolved that meetings, schooling/educational classes for Elected and Appointed Officials, Code Enforcement Officer, Assessor, and Dog Control Officer when school pertains to respective jobs is duly authorized. Motion carried.

Ayes – Brumagin, Luce, Roache, Watrous

Nays – 0

### **Resolution #4-18**

Resolution #4-18 was passed that the powers and duties necessary for day to day operations are delegated to the Town Supervisor. Councilman Luce made the motion to adopt the resolution, seconded by Councilman Roache and passed unanimously.

Ayes – Brumagin, Luce, Roache, Watrous

Nays – 0

### **Resolution #5-18**

Resolution #5-18, motion was made by Councilman Luce and seconded by Councilman Watrous for the Town of Mina to contract in 2018 with Chautauqua County Sheriff's department for court security services at a rate of \$28.47 per hour at a minimum of four hours per court date. This covers monthly court on the first Thursday of the month and additional court dates and trials as needed. The contract may not exceed a total of \$2,000.00 for the year. Motion carried unanimously.

Ayes – Brumagin, Luce, Roache, Watrous

Nays – 0

### **Resolution #6-18**

Resolution #6-18, motion was made by Councilman Luce and seconded by Councilman Roache to contract in 2018 with the Chautauqua County Humane Society for animal Holding Services at the same rate as 2017.

Ayes – Brumagin, Luce, Roache, Watrous

Nays – 0

### **Resolution #7-18**

Resolution #7-18, motion was made by Councilman Luce and seconded by Councilman Roache to post weight limits and dates on Town of Mina roads with weights and dates to be determined as deemed necessary by Town of Mina Highway Superintendent. Motion carried.

Ayes – Brumagin, Luce, Roache, Watrous

Nays – 0

A motion was made by Councilman Watrous and seconded by Councilman Luce to approve:

1. Building and Zoning Permit Fees & Fines Schedule with no changes from 2017.
2. Town Clerk Fees Schedule with no changes from 2017.

Motion carried.

Supervisor Brumagin completed the organizational meeting agenda and continued with the regular meeting.

#### **Old Business:**

- Supervisor Brumagin reported Attorney Tad Wright will hold a ZBA training session on January 9, 2018 at 7:00 pm. She will meet with him at 5:30 pm on January 9, 2018 to discuss sub-divisions and boundaries.

#### **Correspondence:**

- NYS Association of Towns – Information on the 2018 Training School and Annual Meeting.
- NYS Unified Court System – Informing the town that the court records and dockets need to be audited for 2017.
- Southern Tier West – Registration form for “Powers & Duties for Newly Elected and Incumbent Local Officials”.
- NYMIR – Information on NYMIR Online University
- US Dept. of Homeland Security – Federal Emergency Management Agency, Washington, D.C. response to a request on a parcel that was located within the Flood Hazard Area on County Route 7.

#### **Reports:**

- Highway Superintendent – Bill Himelein reported the motor is in for the loader but they haven't had time to change it yet. Currently a local contractor is loading for them once a day. He reported that another municipality would like to purchase the old plow for spare

parts. Superintendent Himelein reported he spoke with the Sheriff's department and since the town currently has a parking ordinance (#1-1979), the town needs to have parking tickets printed for the sheriff to issue. He also reported there have been many residents that are plowing their driveways across the road, which is illegal.

- Recreation Committee – Supervisor Brumagin reported that there are two grants currently being worked on to support recreational activities in the Town of Mina. Both grants are being submitted to the Ralph C. Wilson Legacy Fund of the Greater Buffalo Foundation. One grant is being submitted by Community Connections at Findley Lake titled “A Natural Path to Fitness and Knowledge” in the amount of \$49,909. The other is being submitted by Southwestern New York Community Support Group titled “Courts Count: Restoration of Outdoor Basketball and Tennis Courts with Addition of Pickleball Courts” in the amount of \$24,206.
- Community Center – Supervisor Brumagin recommended Melena DeBoe to shovel the sidewalks at the Community Center. Councilman Watrous made a motion, seconded by Councilman Luce to hire Melena DeBoe at a rate of \$20.00 per time. Motion carried.
- Town Clerk/Tax Collector – The Town Clerk's report was distributed reporting the collection of fees and sales of \$1,339.00 for the month of December 2017. She has paid the Supervisor \$547.48, NYS Ag and Markets for dogs, \$27.00, NYS Dept. of Health for marriage licenses \$45.00, and NYS DEC \$719.52. She also reported that the taxes have been mailed out and collection of taxes will start January 8, 2018.
- Findley Lake Watershed Foundation – Supervisor Brumagin reported that she has provided the Watershed Foundation with a letter of support for a grant application to the USDA Rural Development to purchase a new weed harvester.
- FLVFD – Terry Phelps reported that the fire hydrant in the lake is not working properly and needs to be extended out into the lake. He also reported they have two new EMTs, Donovan DeBoe and Alex Scarem. Chuck and Cathy Carter will be taking their state boards in February. Terry attended a class on meth labs and he and his wife, Darla, attended training on “Stop the Bleed”.
- Supervisor - Rebecca Brumagin reported that the financials for December 2017 will be distributed at the February town board meeting. Supervisor Brumagin reported she is meeting with Justice Clerk D'Anthony to audit the justice records and Supervisor Brumagin will also be preparing an audit on the Town Clerk records and Tax Collector account.

#### **New Business:**

- Supervisor Brumagin reminded the re-elected officials who are in the NYS retirement system that a 3 month analysis needs to be kept on their hours beginning January 1, 2018.
- Supervisor Brumagin reported that Southern Tier West is writing a grant to get cemetery records digitized. Councilman Luce made a motion, seconded by Councilman Watrous for Supervisor Brumagin to sign the LGRMIF (Local Government Records Management Improvement Fund) grant shared services agreement form. Motion carried.
- Supervisor Brumagin reported she will update any leases that need to be renewed for the Community Center, the bus garage and with the Findley Lake Watershed Foundation.
- Supervisor Brumagin reported JoAnn Malecki was recognized with a certificate from the U.S. President for lifetime service as a volunteer. Councilman Watrous made a motion, seconded by Councilman Luce for Supervisor Brumagin to prepare a proclamation for the Town of Mina to recognize her volunteer service. Motion carried.

#### **Payment of Monthly Claims/Transfers:**

- Payment of Monthly Claims/Transfers – The monthly claims were examined. Councilman Watrous moved, seconded by Councilman Roache, to pay the monthly claims in the General Fund claim #1 through #16 in the amount of \$ and in the Highway Fund claim #1H through #2H in the amount of \$3,713.00 was approved to pay. Motion carried unanimously.

Approved: Ayes – 4 Brumagin, Luce, Watrous, Wilcox  
Nays – 0

As there was no further business to come before the Board, Councilman Roache moved to adjourn the meeting at 8:28 p.m.

Respectfully submitted,

Sherrie R. Tanner  
Town Clerk