

April 20, 2017

The Mina Town Board met on the above date for a special town board meeting due to a quorum not being met at the regular meeting on April 13, 2017. Supervisor Brumagin called the meeting to order at 7:00 p.m. The following members and guests were in attendance:

Present: Rebecca Brumagin.....Supervisor
Dennis Luce.....Councilman
Dick Watrous.....Councilman
Dave Wilcox.....Councilman

Attended by: Denis Cooper (Town Justice) (7:53), Bill Himelein (Highway Superintendent), Dave Himelein (County Legislator), Jim McCarthy (Jamestown Post Journal), Jeff Park (FLVFD Board), Sherri Schenk

Supervisor Brumagin asked the town clerk to read the legal notice of the meeting.

Minutes: Motion was made by Councilman Luce and seconded by Councilman Wilcox to accept the minutes of the March 9, 2017 meeting as presented. Motion carried unanimously.

Comments/Concerns from those present:

- Dave Himelein reported that the county is working on a \$50,000 grant to study municipal consolidation and new shared services. There is the potential to secure a \$20,000,000 grant based upon the outcome of the study.
- Jeff Park reported that Brian Locke is resigning from the FLVFD board and the board is looking to replace him so they can keep a four member board. He presented the town board with a letter stating the FLVFD board reinstated Jack Hamilton as Fire Chief effective April 1, 2017. He also reported that Findley Lake, Sherman and Clymer have all brought their ambulances up to code. When the departments assist each other, each ambulance will have the same set up and supplies.
- Jim McCarthy, reporter for the Jamestown Post Journal, stated he was in attendance to find out whether or not the sewer district formation was going to a public vote. Supervisor Brumagin reported to him that she expected that information would be discussed later on the agenda.

Comments/Concerns from those not present: none

Executive Session: At 7:15 pm Councilman Wilcox made a motion, seconded by Councilman Luce to adjourn to Executive Session for contractual/personnel and real property matters. Motion carried. At 7:26 pm Councilman Wilcox moved, seconded by Councilman Luce, to return to regular session. Motion carried unanimously.

Old Business:

- Sewer Project – Supervisor Brumagin announced that there were more than an adequate number of signatures on the sewer district formation petitions to move forward on holding a public vote in accordance with the permissive referendum requirements. She and the town clerk as well as Attorney Robinson verified the signatures. Supervisor Brumagin and the town board held a discussion on establishing the date for the vote, holding a public meeting, absentee ballots and determining the process to inform the public.
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RESOLUTION #9-17
RE: FINDLEY LAKE SEWER DISTRICT

WHEREAS, ON February 20, 2017 the Town Board of the Town of Mina adopted a Resolution establishing the Findley Lake Sewer District, and

WHEREAS, said Resolution was subject to a permissive referendum as required by the Town Law of the State of New York, and

WHEREAS, notice of said Resolution was duly published in the official newspaper of the Town of Mina, and

WHEREAS, the Town of Mina has received petitions requesting that said Resolution establishing the Findley Lake Sewer District be submitted to all qualified voters for a vote thereon, and

WHEREAS, a sufficient number of signatures of qualified voters were received to mandate the submission of said Resolution establishing the Findley Lake Sewer District to the qualified voters.

NOW, upon motion by Councilman Wilcox and second by Councilman Watrous,

BE IT RESOLVED, THAT THE Town of Mina hold a special election on the establishment of the Findley Lake Sewer District on the 26th day of May, 2017, at the Mina-Findley Lake Community Center, 2883 North Road, Findley Lake, New York, from the hours of 8:00 AM to 8:00 PM wherein all qualified voters may vote on the proposition of establishing the Findley Lake Sewer District in accordance with the Map, Plan and Report prepared by Hill Engineering, a division of Greenman-Pedersen, Inc., dated September 6, 2016, and

BE IT FURTHER RESOLVED, that qualified voters may vote by absentee ballot in accordance with the voting procedures established by the Town of Mina.

In addition to the above resolution, the town board discussed providing more notification and information than is required by New York State law.

Councilman Wilcox made a motion, seconded by Councilman Watrous to establish the following:

- that the town board will inform the public regarding details of the vote and procedures through a notice in the Jamestown Post Journal as well as a mailing to each property owner in the proposed district;
- that the town board will hold a public meeting at the FL fire department (date to be established when those speaking can be contacted to confirm date). Motion carried unanimously.

Ayes - 4 Brumagin, Luce, Watrous, Wilcox

Nays - 0

- NYMIR – Mark Loveless from NYMIR will be in the Findley Lake area on Friday, April 21st to meet with Highway Superintendent Bill Himelein and discuss next steps on the Paradise Bay crosswalk issue.
- Cemetery Property – Supervisor Brumagin asked Councilman Watrous if he had heard any more from Rick Walker. It is his understanding that the assessor is still waiting on a call back from the Walkers.

Correspondence:

- NYMIR – Annual Meeting Notice and distracted driving prevention challenge
- NYS DOT Bridge Maintenance Contract for 2018 involving a bridge on Interstate 86 in the Town of Mina
- FL Volunteer Firemens Assoc. – financial statements
- Southern Tier West – Local Government Conference on May 10, 2017
- Chautauqua County Electronic Payment Method Options
- Patrick Waina re: lake level
- Association of Towns – 17th Annual Town Finance Schools
- Chautauqua County Visitors Bureau – 59th Annual Dinner
- Chautauqua County Clerk’s Association – Scholarship information
- Charter Communications – Keeping apprised of developments affecting Charter
- NYS DEC – Annual ReLeaf Conference
- NYS Floodplain & Stormwater – 16th Annual Meeting
- Marilyn Horan – Concerns on voting procedures on sewer district formation
- Dave Calvert – Erie newspaper article on sewer construction

Reports:

- Highway Superintendent – Superintendent Himelein reported that winter recovery along with CHIPS money will be approximately \$15,000 more than last year. He stated that either the second or third week in May the highway department plans to tar and chip small areas; then in June the longer roads and in July they plan to pave 2 ½ miles of road. He said he’d let Councilman Luce know when they would be working on the roads, so that it could be posted on the town’s website when and what times the roads will be under construction. The highway crew has started clean-up in the cemetery and mowing season has begun.
- Town Justice – Justice Cooper reported that he plans to have the attorneys’ tables in the court room bolted to the floor and a ring installed on the floor for shackling defendants, as necessary, to make the court room more secure.
- Recreation Committee – Councilman Wilcox reported he met with Nancy Roche and the town clerk and the committee is looking at revamping the sign in & out sheets for the gym. He also reported they are getting new estimates for resurfacing the tennis courts since it has been three years since they received quotes. Supervisor Brumagin stated that the town needs to renegotiate the contract with the FLVFD on the lease of the tennis court property; if the town decides to invest \$21,000-\$26,000 into the resurfacing, the lease will need to be extended. Superintendent Himelein requested if there is any asphalt left over from the resurfacing project he would like to be notified so the highway department could possibly use it.
- Assessor – Heather Young-Deyell’s report for March 2017 was distributed. She reported she will be inspecting new construction and demolition projects during the months of

March and April. She also will be sending out assessment change notices for new construction and demolition at the end of April.

- Community Center – Supervisor Brumagin reported she is working on purchasing a sound system for the community center.
- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$1,231.00 for the month of March 2017. She has paid the Supervisor \$1,083.88, NYS Ag and Markets for dogs, \$29.00, and NYS DEC \$118.12. She also reported she has returned the tax roll to the county; and reported to the town board that Governor Cuomo is recommending legislation for towns to accept partial payments on town/county taxes.
- FL Watershed Foundation – Supervisor Brumagin reported work is being finished on the dam breakwall project with the new hand rails needing to be installed and the rocks on the waterwheel side of the road needing to be put in place.
- FL Chamber – Sherri Schenk reported that the chamber’s next event will be the Spring Fling to be held Memorial Day Weekend.
- CEO/Building Inspector – Melanie Eddy’s report for March 2017 was distributed. She is asking the town board to refer to the planning board a section of the zoning code on fences/walls for review.
- Supervisor – Supervisor Brumagin distributed financial statements for March 2017.

New Business:

- Supervisor Brumagin recommended the following appointments:

Planning Board – Kristine Gleason (term expiring 2019)

Philip Persons (term expiring 2020)

John Shifler (term expiring 2021)

Councilman Watrous made a motion, seconded by Councilman Luce to accept the above listed individuals to the planning board. Motion carried unanimously.

Zoning Board of Appeals – Dan Christman (term expiring 2019)

John Shifler (term expiring 2020)

Chuck Carter (term expiring 2021)

Councilman Wilcox made a motion, seconded by Councilman Watrous to accept the above listed individuals to the zoning board of appeals. Motion carried unanimously.

Recreation Committee – Barb Cooper (term expiring 12/31/2020)

Lex Brumagin (term expiring 12/31/2021)

Councilman Wilcox made a motion, seconded by Councilman Luce to accept the above listed individuals to the recreation committee. Motion carried unanimously.

- Discussion was held regarding the state property on Route 426 where three cement picnic tables are located. Councilman Luce made a motion, seconded by Councilman Watrous to contact the state to let them know that the town would like to be given the right of first refusal in the event that the State considers selling/disposing of the property. Motion carried unanimously.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers – The monthly claims were examined. Councilman Watrous moved, seconded by Councilman Wilcox, to pay the monthly

claims (adding in \$160.00 Councilman Luce turned in for the town's website). In the General Fund claim #82 through #107 in the amount of \$14,782.08 and in the Highway Fund claim #40H through #56H in the amount of \$12,986.68 was approved to pay. Motion carried unanimously.

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

Other Business:

- Jeff Park informed the town board that the Findley Lake United Methodist Church is now a disaster shelter with the American Red Cross. Because the shelter serves the whole community and not just its parishioners, this makes the church eligible for more grant opportunities. Jeff stated he will provide the town board with dates on training for disaster shelters when he receives them.

As there was no further business to come before the Board, Councilman Luce moved to adjourn the meeting at 8:21 p.m.

Respectfully submitted,
Sherrie R. Tanner
Town Clerk