

June 11, 2015

The Mina Town Board met on the above date for the regular meeting. Supervisor Brumagin called the meeting to order at 7:00 p.m. by leading with the Pledge of Allegiance to the flag. The following members and guests were in attendance:

Present: Rebecca Brumagin.....Supervisor
Scott Bensink.....Councilman
Dennis Luce.....Councilman
Dave Wilcox.....Councilman

Absent: Dick Watrous.....Councilman

Attended by: Randy Hamilton (FLVFD), Tammy Hamilton (FLVFD) (7:15), David Himelein (Chautauqua County Legislator), MaryLou Keith (FLVFD), Ray Keith (FLVFD), Terry Phelps (7:09), Sherri Schenk

Minutes: Motion was made by Councilman Bensink and seconded by Councilman Wilcox to accept the minutes of the May 14, 2015 Special Meeting and the May 14, 2015 regular meeting as presented. Motion carried unanimously.

Comments/Concerns from those present: None

Comments/Concerns from those not present: None

Old Business:

- Sewer Project Status –
 - Supervisor Brumagin reported that required items have been sent off to Tom Becker to support the town’s request for a USDA grant. J.C. Smith from the NYS Environmental Facilities Corp. needs to be contacted about grant monies. She received the information from Matthew Bull, Machias (Lime Lake) Town Supervisor about engaging a Municipal Fiscal Consultant.
- Dam Repair Project –
 - The Town of Mina, as the lead agency, received SEQR (State Environmental Quality Review) information on the dam repair project from the Findley Lake Watershed Foundation on a Short Environmental Assessment form. A motion was made by Councilman Luce and seconded by Councilman Wilcox that based on the information and analysis presented, along with supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. All were in favor and the motion carried.
Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0
 - Councilman Bensink made a motion, seconded by Councilman Wilcox to adopt the “Compliance Requirements” nondiscrimination by recipients of financial assistance through the U.S. Department of Agriculture.
 1. Collect gender and race/ethnic data for grants;
 2. Facilities must be accessible to individuals with disabilities,
 3. Letterhead must contain a Telecommunication Device for the Deaf (TDD) number,

4. Nondiscrimination statement must be included on all materials (print and non-print) distributed to the public.
5. A “And Justice For All” poster must be conspicuously displayed.
6. By-Laws and/or other operating procedures must contain language prohibiting discrimination.

Motion passed unanimously.

Ayes – 4 Brumagin, Bensink, Luce, Wilcox

Nays – 0

➤ Excavator Lease –

- Councilman Bensink made a motion, seconded by Councilman Wilcox that the Town enter into a three year lease with First Niagara Bank to purchase the excavator, 2015 Hyundai 180. Motion passed.

Ayes – 4 Brumagin, Bensink, Luce, Wilcox

Nays – 0

Correspondence:

Time Warner Cable – Newsletters, keeping us apprised of developments, a webinar and franchise fee.

Chautauqua County Office of the Executive – Chautauqua County Safety Council challenging “no workplace accidents” during the busy summer months.

Saint Gregory Parish School – Thank you note for donation in memory of Kay Cooper.

NYS Dept. of Taxation & Finance Office of Real Property Tax Services – Tentative 2015 State equalization rate for C.A.P. #4 is 90%.

June Write – Letter of resignation as Town historian effective June 30, 2015.

Chautauqua County Dept. of Insurance – Anticipated 2016 cost allocation for workers’ compensation.

Univera Health Care – Proposing to increase health insurance premium rates for 2016 by 16.4%.

Don Proctor – Looking to purchase undeveloped property along 8th Avenue and requesting information on how this could be done.

Jehuu Caulcrick – Letter of appreciation for memento from the town board for his recent induction into the Chautauqua Sports Hall of Fame.

Reports:

➤ Dog Licenses –

- Judge Cooper had previously reported to the town board that someone from the town needs to be in court to represent the town when unpaid dog licenses come before him. Supervisor Brumagin will look into this.

➤ CEO/Building Inspector – Melanie Eddy’s report for May 2015 was handed out.

➤ Findley Lake Area Chamber of Commerce – Sherri Schenk reported that “Taste of Findley” was a successful event. June 13, 2015 is “Walk Off Your Lunch Around Findley Lake” raising money for the American Cancer Society.

➤ Town Clerk – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$2,558.00 for the month of April 2015. She has paid the Supervisor \$1,876.52 NYS Ag and Markets for dogs, \$19.00, NYS Health Dept. \$112.50 and NYS DEC \$549.98. She reported that the NYSDEC was kicking out a new version of the decals program for selling hunting/fishing licenses starting June 16, 2015.

➤ Supervisor - Rebecca Brumagin distributed the financial statements through May 31, 2015.

New Business:

- Supervisor Brumagin reported that she completed the Town Justice audit for 2014.

Resolution #5-15

At a regular meeting of the Mina Town Board held on Thursday, June 11, 2015, Mina Town Supervisor Rebecca N. Brumagin, submitted a report of findings of the audit conducted on the justice records for the calendar year 2014. Her report included information on the process for reviewing records including monthly bank statements, bank reconciliations, accountability reports, the cash receipt journal, the cash disbursement journal, partial payments reports, NYS Justice Court reports, TSLE&D reports and a sampling of court docket files and cases. Findings for 2014 were as follows:

1. All financial records are complete and up-to-date.
2. Transactions are recorded properly.
3. Accountability is determined monthly.
4. Required reports are made timely and accurately.

A motion was made by Councilman Luce and seconded by Councilman Wilcox to accept the findings of the 2014 Town of Mina Justice Court Audit. The motion carried unanimously. The vote was as follows:

Supervisor Brumagin – aye
Councilman Bensink – aye
Councilman Luce – aye
Councilman Wilcox – aye

- Discussion was held regarding the landfill property the town owns. Supervisor Brumagin will mail a letter to the farmer who has been using the landfill property to inform him that he has until September 30, 2015 to discontinue use of the land.
- After discussion on rent for the bus garage, Councilman Bensink made a motion, seconded by Councilman Wilcox to charge the Insulation Guys \$375.00 per month for one year starting October 1, 2015. This covers the cost of the electricity as well as the monthly rental fee for two bays. All were in favor and the motion passed.
Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0
- Councilman Wilcox made a motion, seconded by Councilman Bensink to accept, with regret, June Wright, Town Historian's resignation effective June 30, 2015. Motion carried.
Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0
- Supervisor Brumagin made a motion, seconded by Councilman Bensink to appoint Mary Norcross as Mina Town Historian effective July 1, 2015. The motion carried unanimously.
Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0
- Supervisor Brumagin brought up the fact that the community center is in need of a sound system that could be used for events being held at the center as well as for the Memorial

Day Program. She will contact Larry Bach and Wayne Emory to assist with selecting a sound system for the community center.

- Flag Holders for Non-U.S. Veterans –
 - Discussion was held. It was determined that if a family would like to purchase a flag holder and flag for their loved one it is the family's responsibility to purchase it and place it on the grave site. The flag holder and flag should be no larger than the U.S. flag holders and flags for United States Veterans.
- Councilman Bensink said he would look into electric/gas supplier options for the town.
- Dog Control Officer Kennel –
 - Councilman Bensink made a motion, seconded by Councilman Luce to charge dog owners \$10.00 if the Dog Control Officer has to pick a dog up and transport it to the humane society since she no longer has a kennel at her residence. All were in favor and the motion passed.
Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0
- Towns with municipal websites have specific requirements for items that must be posted on them. Supervisor Brumagin asked Councilman Luce to meet with her and review the items that are required to be posted.
- Councilman Wilcox made a motion, seconded by Councilman Luce to propose a change to the law for the Board of Assessment Review to be reduced from a five member board to a three member board at the earliest vacancy on the board. Motion carried.
Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0
The proposed law change will be presented at a public hearing on July 9, 2015 at 7:00 p.m.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers – The monthly claims were examined. Councilman Luce moved, seconded by Councilman Bensink, to pay the monthly claims with the correction on the Highway Abstract #77H. In the General Fund claim #122 through #144 in the amount of \$10,218.82 and in the Highway Fund, claim #68H through #78H in the amount of \$13,594.34 were approved to pay. Motion carried unanimously.
Approved: Ayes – 4 Brumagin, Bensink, Luce, Wilcox
Nays – 0

Executive Session: At 7:46 pm Councilman Wilcox made a motion, seconded by Councilman Luce to adjourn to Executive Session for contracts and personnel matters. Motion carried. At 8:55 pm Supervisor Brumagin moved seconded by Councilman Wilcox to return to regular session. Motion carried unanimously.

New Business:

- Supervisor Brumagin reported that she spoke with an agent from the FLVFD'S insurance company concerning outside services by individual firefighters and he reported that there is no issue with general liability insurance coverage. The 2014 amendment of General Municipal Law 209-I was enacted in order to provide the potential of coverage under the Volunteer Firefighters Benefits Law (VFBL) for volunteer firefighters when they offer their services to assist at an emergency outside of their fire department's protection area. Councilman Luce made a motion, seconded by Councilman Wilcox to accept outside services for our fire department.

All were in favor and the motion passed.

Approved: Ayes – 4 Brumagin, Bensink, Luce, Wilcox

Nays – 0

- Findley Lake Volunteer Fire Department contract was discussed. Supervisor Brumagin made a motion, seconded by Councilman Luce to extend the contract until December 31, 2015 with the following stipulations:
 - That the board of the FLVFD attend the next regularly scheduled town board meeting on July 9, 2015,
 - That, with the assistance of a facilitator chosen and paid for by the Town of Mina, the FLVFD board develop a strategic action plan that includes:
 - A membership self-assessment and performance evaluation,
 - A strengths, weaknesses, opportunities and threats analysis,
 - Detailed and measurable action steps with aggressive timelines for improving the fire department's operations,
 - And, that the FLVFD board, present the strategic action plan to the Mina Town Board at the September 10, 2015 meeting of the town board.
 - Furthermore, at the September meeting of the Mina Town Board, the town board will determine if the strategic action plan is sufficient; if not, the town board will consider alternative arrangements for protecting the citizens of the Town of Mina including entering into discussions with the Clymer Volunteer Fire Department and Stanley Hose Company about how those companies might be willing and able to assist the Town of Mina.

All were in favor of the motion.

Approved: Ayes – 4 Brumagin, Bensink, Luce, Wilcox

Nays - 0

As there was no further business to come before the Board, Councilman Luce moved to adjourn the meeting at 8:59 p.m.

Respectfully submitted,

Sherrie R. Tanner
Town Clerk

