

January 12, 2011

Supervisor Brumagin declared the public hearing open at 7:00 p.m.

Present:

Rebecca Brumagin	Supervisor
Dennis Luce	Councilman
Denis Cooper	Councilman
David Wilcox	Councilman
Scott Bensink	Councilman

Others present: Judy Noble, Ed Mulkearn

Joan Himelein, Town Clerk read the legal notice relative to the new dog ordinance. Discussion was held. Supervisor Brumagin closed the public hearing at 7:05 pm.

Supervisor Brumagin called the Annual Organizational Meeting to order at 7:05 p.m.

### **Resolution #1-11**

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

A motion was made by Councilman Cooper, seconded by Councilman Bensink and passed to hold monthly board meetings on the second Wednesday of the month at 7:00 P.M. at the Mina-Findley Lake Community Center.

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 Wilcox and passed.

Councilman Luce moved, Councilman Bensink seconded the motion and it passed to establish the Jamestown Post Journal as the official newspaper of the Town Board.

Councilman Wilcox made a motion, seconded by Councilman Bensink to continue memberships in all the municipal, county and state associations. Passed.

Councilman Cooper moved, seconded by Councilman Wilcox that no constable be appointed at this time. Passed.

Councilman Bensink moved that the wages of the highway employees be set at \$16.40 per hour from January through December 2011. Motion seconded by Councilman Cooper and passed.

Also, part-time (temporary wages) motor equipment operators be paid at the rate of \$12.00 per hour and motor equipment operators 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 Cooper seconded by Councilman Wilcox. Motion passed.

Councilman Wilcox moved that employees eligible for health insurance pay 10% of their premium 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 Cooper and was passed unanimously.

Councilman Bensink moved, Councilman Cooper seconded the motion to authorize the highway superintendent to advertise for bids for all necessary supplies for highway use in 2011. Motion passed.

Councilman Luce made a motion that the town officials' salaries are to be as adopted in the final 2011 budget. Seconded by Councilman Cooper and motion passed.

Councilman Wilcox made a motion to appoint Councilman Luce as Deputy Supervisor, seconded by Councilman Cooper and passed.

Motion was made by Councilman Cooper, seconded by Councilman Bensink\_\_\_\_\_ that all town officials be paid \$ .50 (50 cents) per mile for user of their cars while discharging official town duties. Carried.

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

Motion made by Councilman Wilcox, seconded by Councilman Cooper to authorize the hiring of a legal stenographer at legal rates, for any necessary hearings by town officials in the Town of Mina in 2011. Motion passed.

Councilman Luce made a motion, seconded by Councilman Cooper to reappoint Daniel and Sandy Kochanowski as Dog Control Officers at \$8.41 per hour. Motion passed.

The Supervisor made the following appointments for various committees:

Highway and Cemetery Committee:

***Denis Cooper***  
***Scott Bensink***

Recreation Committee Liaison

***David Wilcox***

Insurance Committee:

***Rebecca Brumagin***  
***Denis Cooper***  
***Dennis Luce***  
***Scott Bensink***  
***David Wilcox***

Community Center Facilities Coordinator:

***Rebecca Brumagin***

Refuse Service Liaison

***David Wilcox***

Coordinated Assessment Program Committee

***Denis Cooper***  
***Rebecca Brumagin***

The Mina-Findley Lake Community Center is designated as the official polling place for the Town of Mina for 2011. Councilman Luce made a motion to designate the Community Center as the official polling place, seconded by Councilman Bensink and motion carried.

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

Councilman Wilcox moved, seconded by Councilman Bensink to authorize the highway Superintendent to clear the snow from the following areas: Findley Lake Volunteer Fire Department, Mina-Findley Lake Community Center, New York State Access area, and Findley Lake Watershed Foundation area on Main Street. Motion carried.

Councilman Luce moved, seconded by Councilman Cooper to authorize the highway Superintendent to remove the accumulated snow on Main Street to accommodate the width of parking a car. Motion carried.

Councilman Wilcox moved, seconded by Councilman Cooper 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 carried.

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

Patricia Piazza - Deputy Town Clerk, Deputy Records Management Officer, Deputy Registrar of Vital Statistics, and Deputy Handicapped Parking Permit Agent, motion carried.

Sharon Utegg - Justice Clerk to assist with records and take minutes of court hearing, motion carried.

Mary Lou Keith – Custodian at the Community Center, motion carried

Melanie Eddy - Building Inspector and Zoning Code Enforcement Officer. Motion carried.

A motion was made by Councilman Wilcox and seconded by Councilman Bensink to appoint Barbara Cooper to the Recreation Committee. Motion carried.

A motion was made by Councilman Cooper and seconded by Councilman Wilcox to appoint John Shifler to the Zoning Board of Appeals Committee. Motion carried.

### **Resolution #2-11**

Resolution #2-11 was passed eliminating winter maintenance of Fox Road, Klondyke Road and part of Gas Well Hill Road at the request of Highway Superintendent Paul Scarem. Councilman Luce made the motion to adopt the resolution, seconded by Councilman Cooper and unanimously passed.

A motion was made by Councilman Luce and seconded by Councilman to designate the Findley Lake Fire Department Fire Chief, Kevin Hoitink as the Town's Disaster Coordinator. This motion passed.

### **Resolution #3-11**

On a motion of Councilman Bensink seconded by Councilman Wilcox, the following resolution was Resolved that meetings, schooling/educational classes for Elected and Appointed Officials, Code Enforcement Officer, and Dog Control Officer when school pertains to respective jobs is duly authorized. Motion carried.

Ayes Brumagin, Cooper, Luce, Bensink, Wilcox

Nays none

Other Business:

Supervisor Brumagin called the Regular Board meeting to order at 7:30 p.m.

**Minutes:** Councilman Luce moved seconded by Councilman Bensink to accept the minutes of December 8 and December 29, 2010. Motion carried unanimously.

APPROVED: Ayes 5 Brumagin, Luce, Cooper, Wilcox, Bensink

Nays 0

**Comments from Those Present:** None

**Comments from Those not Present:** None

**Old Business:**

❖ Sewer Workgroup – It was reported the group is trying to get to a position where it can go to the next step which is to the public. Mr. Mulkearn feels doing nothing is unacceptable.

❖ Dog Law- Councilman Bensink moved, seconded by Councilman Cooper to adopt the Dog Law #1-2011.

Brumagin- aye

Luce - aye

Cooper - aye

Bensink - aye

Wilcox - aye

Motion carried unanimously.

❖ Town Office break in – security/safe: A safe has been ordered and waiting for breakdown in cost for security system.

❖ Refuse Disposal contract – Councilman Wilcox negotiated a new contract with Mr. Parnell and brought the signed contract to the meeting.

**Correspondence:**

State of New York Department of Transportation

Chautauqua County Accounts Payable Invoice Report

**Reports:**

➤ Highway/Cemetery Committee

➤ Highway Superintendent – Paul Scarem reported the door needs to be replaced and he has an estimate for weather stripping, track etc. in the amount of \$2,560.00. The highway committee will look into this. Supervisor Brumagin stated she was going on recorded and asking the Highway Committee and Mr. Scarem to have better communication prior to Board meetings. Mr. Scarem also reported some truck trouble. Bob's truck was down and is now back; Craig's truck is still down – (they have been using old truck #7); sander broke and he borrowed one from the County.

➤ Recreation – nothing

➤ FL Area Chamber of Commerce – Judy Noble stated the National St. Bernard conference will be held on September 11, 2011 at Peek 'n Peak. The Chamber is going to plan an event to include this conference.

➤ Town Justice – Supervisor Brumagin and Councilman Bensink will audit the books.

➤ Community Center Facility Issues – nothing new.

➤ Town Clerk/Tax Collector -: \$589.00 was collected for the month of December 2010. She will pay the following: \$165.45 to the Town Supervisor as the town's share; \$404.63 was paid to NYS DEC for DECALS sales; \$12.92 for the December 2010 dog license money which usually goes Chautauqua County Treasurer for dog licenses will be held until clarification of where to send it.

She reported tax collection stated on January 10, 2011 and will continue until April 1, 2011. The penalty free period ends February 9<sup>th</sup>.

- FL Watershed Foundation – Mr. Mulkearn asked if the money they requested from the Town at budget time had been approved. Discussion was held and the Board requested to see actual figures from last year and the new budget. At that time money would be released. Councilman Luce moved seconded by Councilman Cooper to move the money from contingency into the Environmental Control line. Motion carried unanimously.

APPROVED: Ayes 5 Brumagin, Luce, Cooper, Wilcox, Bensink  
Nays 0

He also reported they will move 3 lights from the gazebo area to the walkway and along the Boat ramp area.

- CEO/Building Inspector – Melanie Eddy’s report was handed out.
- Supervisor – Supervisor Brumagin handed out financial statements.

**Payment of Monthly Claims/Transfers:**

Payment of Monthly Claims/Transfers – The monthly claims were examined and Councilman Luce moved seconded by Councilman Wilcox to pay the monthly claims. Motion carried unanimously.

APPROVED: Ayes 5 Brumagin, Luce, Cooper, Wilcox, Bensink  
Nays 0

In the General Fund claim #1 through #33 in the amount of \$27,706.66 and in the Highway Fund, claim #1H through claim #15H in the amount of \$15,179.61.

**Other Business:**

As there was no further business to come before the Board, Councilman Bensink moved to adjourn the meeting at 8:35pm.

Respectfully submitted,

Joan R. Himelein, Town Clerk