

November 11, 2009

The Mina Town Board met for a regular meeting on the above date with Supervisor Brumagin opening the meeting 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
Dennis Luce	Councilman
David Wilcox	Councilman
Scott Bensink	Councilman

Absent: Denis Cooper.....Councilman

Attended by: Paul Scarem, Highway Superintendent, Craig Tenbuckel and Phyllis Tenbuckel, and Ed Mulkearn.

Minutes: Councilman Wilcox moved seconded by Councilman Bensink to accept the minutes of October 14 with the change in date, and October 27, 2009. Motion carried.

APPROVED: Ayes 4 Luce, Bensink, Wilcox, Brumagin
Nays 0

Public comment/concern from those present: Craig and Phyllis Tenbuckel stated they were interested in the insurance information and the budget.

Public comment/concern from those not present: Supervisor Brumagin stated she had been contacted regarding the Town establishing trick or treat hours. She felt 5:00 p.m. to 8:00 p.m. would be appropriate. This way people would know when trick or treating should be ended.

Old Business:

- NYS Building Code – Attorney Wright will revisit this matter.
- Sewer District – It was reported the grant has been submitted. The Town has received the invoice for this work. Supervisor Brumagin made a motion to move an additional \$1,000 into the line item for this expense, seconded by Councilman Luce. Discussion was held. Motion carried.

APPROVED: Ayes 4 Luce, Bensink, Wilcox, Brumagin
Nays 0

- Small Island Project – Ed Mulkearn stated the project has been started. There was a problem getting the barge into the island due to the stumps etc.; it doesn't look like the Town Highway Department will have to store rock. The Highway Department was asked if they could help clean up the gravel when they were finished if they needed any help.

- Gorski property – Attorney Wright will provide the Town with information regarding how to proceed with a Sheriff's sale.

- Nuisance Ordinance – Supervisor Brumagin spoke with our attorney who advised her it would be hard to enforce a nuisance ordinance – a noise ordinance could be enforced.

- Ban on controlled burning around the lake – The Town Attorney suggested this be done with a permit and not by a law. Discussion was held.

- Health Insurance – Supervisor Brumagin informed the Board she had contacted our insurance company. They have stated it is the identical policy which we have now.

- Adoption of the Budget – Discussion was held. Councilman Bensink moved seconded by Councilman Wilcox to accept the preliminary budget as the final budget. Motion carried.

APPROVED: Ayes 4 Luce, Bensink, Wilcox, Brumagin
Nays 0

Proposed Zoning Law – Review of the last definitions and the Matrix were held. Supervisor Brumagin said Attorney Wright stated we should add the following statement to the Zoning Law: “Violations may be prosecuted by the Town Attorney or other council designated by the Town Board.” Councilman Luce moved seconded by Councilman Wilcox to adopt this proposed Zoning Law as the law to be taken to the public for Public Hearings. Motion carried.

APPROVED: Ayes 4 Luce, Bensink, Wilcox, Brumagin
Nays 0

Discussion was held with the following dates agreed upon to hold public hearings: Saturday December 5, 2009 at 10:00 am; and Tuesday December 8, 2009 at 7:00 p.m. The Public is invited to attend one or both meetings. All meetings will be held at the Findley Lake-Mina Community Center.

Correspondence: None

Reports:

- Highway Superintendent – Superintendent Scarem reported they are doing maintenance, working on the salt shed and keeping up with the beaver.
- Recreation Committee – Councilman Wilcox reported the committee is moving forward with plans for the next step in the playground.
- Chamber of Commerce – Christmas through the Village the weekend of November 21.
- Assessor – Supervisor Brumagin reported on Sherman having Assessor hours in Mina. This would put the Assessor’s total hours worked for the CAP in Mina. Supervisor Brumagin also stated a CAP meeting should be held.
- Town Clerk/tax collector - 9,917.00 was collected for the month of October. She will pay the following: \$1,369.05 to the Town Supervisor as the town’s share; \$8,436.13 was paid to NYS DEC for DECALS sales; \$45.82 to the Chautauqua County Treasurer for dog licenses; \$21.00 to NYS Ag & Markets for dog licenses and \$45.00 to the New York State Health Department for marriage licenses. She also stated she is going to be one of four test sites for the 2010 County/Town tax collection.
- FL Watershed Foundation – Ed Mulkearn reported they finished cutting stumps on Saturday. They cut 400 stumps this time. Two years ago approximately 250 stumps were cut. He stated the stumps are now approximately 3-1/2 feet beneath the surface of the water.
- CEO/Building Inspector – The CEO/Building Inspector’s report was handed out.
- Supervisor – The supervisor handed out October Financial Statements.
- Trash removal service – Councilman Wilcox reminded the Board a sign needs to be put at the collection site regarding littering with fines. He will talk with Superintendent Scarem regarding the same.

Executive Session:

At 8:55 p.m. Councilman Wilcox Brumagin moved seconded by Councilman Luce to adjourn to Executive Session. Motion carried.

At 9:10 p.m. Councilman Luce moved seconded by Councilman Cooper to return to regular session with new business. Motion carried.

New Business:

- Sherman – Use of Assessment Office. Supervisor Brumagin stated a CAP meeting needs to be held. Councilman Bensink asked how long contractor signs need to be left up. Some signs have been up for several months after the work has been completed. Supervisor Brumagin stated she will speak with Melanie Eddy regarding this matter.
- FLV Fire Department – Tennis Court Lease. Supervisor Brumagin wants to talk with the Fire Department and renew the lease.

Payment of Monthly Claims/Transfers:

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

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

In the General Fund claim #379 through #407 in the amount of \$11,546.99 and in the Highway Fund, claim #149H through claim #160H in the amount of \$6,672.07.

Other Business:

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

Joan R. Himelein, Town Clerk