

**SPECIAL MEETING OF THE TOWN BOARD  
REGULAR TOWN BOARD MEETING  
HELD AT THE MANSFIELD TOWN HALL  
IN EDDYVILLE  
SEPTEMBER 18, 2017 AT 6:00 P.M.**

**PRESENT**

**Robert Keis, Town Supervisor  
Nancy Meeder, Councilwoman  
Larry Johnson, Councilman  
Robert Schmidt, Councilman**

**ALSO PRESENT**

**Mark Meyerhofer, Director Charter Communications**

**ABSENT**

**Greg Meyer, Councilman**

**CHARTER COMMUNICATIONS**

With regard to renewal of the Franchise Agreement between the Town and Charter Communications, Board members conducted a meeting at 6:00 p.m. with Mark Meyerhofer, Director Government Affairs-WNY. Board members discussed with Mr. Meyerhofer the existing Cable Service area being Hencoop Road and Plum Creek area, and also discussed Charter's potential plans for expansion. Potentially more information will be available by the end of the year. Board members were provided copies of Spectrum New York State Broadband Expansion Address Lookup, to discover if your address is included in the New York State broadband expansion plan service area.

There was no further discussion at 6:35 p.m. **A MOTION WAS GIVEN BY** Councilwoman Meeder seconded by Councilman Johnson no opposed approved carried to recess until 7:00 p.m.

**REGULAR TOWN BOARD MEETING  
HELD 7:00 P.M.**

**PRESENT**

**Robert Keis, Town Supervisor, Councilwoman Meeder, Councilman Johnson,  
Councilman Schmidt**

**ALSO PRESENT**

**Brad Hurley, Highway Superintendent  
Town Residents Randy Alexander, Lloyd Brown, Donald Green, Leonard Horning,  
Amy Bedell, David Welker, Nancy Welker, Joe King, Ava King, Brian Goldfus, James and  
Patricia Miller**

**ABSENT**

**Greg Meyer, Councilman**

**PUBLIC HEARING CHARTER COMMUNICATIONS FRANCHISE AGREEMENT**

Supervisor Keis brought the Public Hearing to order regarding renewal of the Franchise Agreement between the Town of Mansfield and Time Warner Cable North East LLC, Locally known as Charter Communications. Notice of the Public Hearing was published in the Town's Official Newspaper Ellicottville Times.

There was no discussion the public hearing was closed on **A MOTION GIVEN BY** Councilman Schmidt seconded by Councilwoman Meeder no opposed approved carried.

**PUBLIC HEARING LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2018/CANCELLED**

The public hearing on a Local Law to Override the Tax Levy Limit for the Fiscal Year 2018 was cancelled, as Supervisor Keis Tentative Budget for 2018 will not cause an override of the tax limit.

**MINUTES OF THE LAST MEETING/APPROVED**

After Town Clerk read the August 21, 2017 Meeting Minutes **A MOTION WAS GIVEN BY** Councilman Schmidt seconded by Councilwoman Meeder no opposed approved carried to approve the meeting minutes as read.

**SUPERVISOR'S AND TOWN CLERK'S FINANCIAL REPORTS**

After Supervisor Keis presented his and Town Clerk's financial reports **A MOTION WAS GIVEN BY** Councilwoman Meeder seconded by Councilman Schmidt no opposed approved carried to approve Supervisor and Town Clerk's financial reports as presented.

**CALIFORNIA HILL ROAD**

With regard to prior discussion about John Mayer contacting Supervisor Keis to abandon California Hill Road to the end of his property line, also he contacted Superintendent Hurley to consider fixing the road before its abandoned.

Supervisor Keis dispensed with the agenda to discuss California Hill Road.

There were 12 people from the community who signed a sign-in sheet to the meeting.

Supervisor Keis stated that there is a proposal to abandon a section of California Hill Road to State Land, no action would be taken tonight, as it would take 5 or 6 months for the process. He noted that he has been researching on line to find information about road abandonment.

Supervisor Keis stated that there would be substantial savings to the Town, he would no longer have to budget monies for its repair, as according to Highway Superintendent Hurley \$10,000.00 is spent on California Hill Road a year. Also, should someone build a house with children the cost for bringing California Hill Road up to SPECS/Standards would cost the Town \$200,000.00. Supervisor Keis stated that he was in favor of abandonment due to the opportunity to save the Town money as the road is a huge liability.

Councilman Johnson stated that he knows of a right-of-way that was established 30 to 50 years ago when Meacham owned the property. Supervisor Keis replied that this would be addressed.

Supervisor Keis gave privilege of the floor. There was considerable discussion the following are some comments.

Randy Alexander prior Town Justice, began the discussion by asking if there was anything in writing from John Mayer? Also, John Mayer should be here in attendance. Mr. Alexander questioned is John Mayer a registered voter in the Town? Supervisor Keis replied that he and his wife have lived in the Town a year.

There was question would Town Highway fix the road before it was abandoned? Supervisor Keis replied that it will not be fixed first, once abandoned it will not be a Town Road.

Supervisor Keis explained that this is the beginning stages rather than pursue, do research at this point in time, there is a right-of-way and State Land to be addressed.

There was mention why would the Town fix the road when it would be abandoned. Superintendent Hurley replied that highway would run the grader over the road and dust it up.

There was mention that highway worked on the road last week and due to heavy rains the road washed out.

There was question in the past 5 to 10 years how many houses have been built with children. Superintendent Hurley replied that school enrollment constantly changes.

There was mention that historically children have been driven to safe places to get on a school bus. Supervisor Keis stated that municipalities are dictated by the school district.

There was question if there are other options and the Town still own the road.

What about access to State Land.

Someone commented that it is a "cop out" to abandon the road. There is a lot of other roads that are in terrible shape and road mileage is always blamed.

There was a statement that it is not about the money, as the property owners own businesses and feel that is the reason for some to be negative about the abandonment

Councilman Schmidt asked how many people present drive on California Hill Road?

Highway Superintendent stated that the road is least traveled, only a couple of cars a day.

There was mention that UPS and FED X Drivers use the road, some drive to work by using California Hill Road, some use the road regularly for their destinations, also some use the road for recreational driving.

There was question about the Town conducting a Public Hearing regarding California Hill Road, Supervisor Keis replied that by law it is not necessary to hold a public hearing, as elected representatives of the Town, who serve the people the Board would make a decision in the Town's best interest.

Supervisor Keis asked if those present were against the abandonment their reply was yes against the abandonment.

**VOTE ON CHARTER COMMUNICATIONS FRANCHISE RENEWAL/APPROVED**

With regard to the Charter Communications Franchise Agreement Renewal, there was no further discussion.

Town Board members present Robert Keis, Town Supervisor, Councilwoman Nancy Meeder, Councilman Larry Johnson, Councilman Robert Schmidt, duly voted unanimously **ON A MOTION GIVEN** by Councilman Schmidt seconded by Councilman Johnson to pass a Resolution to enter into this Franchise Agreement between Town of Mansfield and Charter

**CHARTER COMMUNICATION CONTINUED**

Communications for the initial term of fifteen years commencing on the Effective Date of this Franchise as set forth in Section 15.13 of the Franchise Agreement.

**2018 BUDGET**

With regard to the Budget for the year 2018 salaries of elected and appointed officials Board members discussed the amount to increase highway employees rate of pay. After discussion **A MOTION WAS GIVEN BY** Councilwoman Meeder seconded by Councilman Schmidt no opposed approved carried to give a 2 percent hourly rate increase for highway employees.

After review of Supervisor Keis Tentative Budget for the Year 2018 **A MOTION WAS GIVEN BY** Councilman Johnson seconded by Councilwoman Meeder no opposed approved carried to make Supervisor Keis 2018 Tentative Budget to be the Preliminary Budget for the year 2018.

**A MOTION WAS GIVEN BY** Councilman Schmidt seconded by Councilwoman Meeder no opposed approved carried to authorize Town Clerk to publish in the Town's Official Newspaper Ellicottville Times that the Preliminary Budget for the Town of Mansfield fiscal year beginning January 1, 2018 has been completed and filed in the office of the Town Clerk where it is available for inspection by any interested persons at all reasonable hours.

The Town Board of said Town of Mansfield will meet and review said Preliminary Budget and hold a Public Hearing thereon at the Mansfield Town Hall in Eddyville, 7691 Toad Hollow Road, Little Valley at 7:00 p.m. on the 16th day of October 2017 and at such hearing any person may be heard in favor of or against the Preliminary Budget as completed, or for or against any item, items thereon, contained Pursuant to Section 113 of the Town Law. The following are the proposed salaries of the Town officials: Councilpersons, (4) \$9,400, Town Supervisor \$13,800, Budget Officer \$2,000, Town Justice \$9,595, Clerk/Collector \$18,391, Registrar of Vital Statistics \$500, Assessor \$11,673, Dog Control Officer \$2,500, Highway Superintendent \$50,000 Code Enforcement Officer \$8,500, Planning Board Members \$25.00 for each meeting attended. Assessed Value Minus Exemptions (Town Taxable) \$120,173.641, Total Exemptions, \$4,770,891, Assessed Value For Fire Tax is \$101,556.

**AUDIT FINANCIAL ACCOUNTS/APPROVED**

After Board members audited Supervisor Keis three checking accounts **A MOTION WAS GIVEN BY** Councilwoman Meeder seconded by Councilman Schmidt no opposed approved carried to acknowledge and approve Supervisor Keis financial accounts that were in balance as presented.

**AUDIT OF BILLS**

After Board members audited the billing statements received for payment **A MOTION WAS GIVEN BY** Councilwoman Meeder seconded by Councilman Schmidt no opposed approved carried to pay the following:

General Fund Voucher Numbers 183 to 199 in the amount of \$3,077.10

Highway Fund Voucher Numbers 127 to 140 in the amount of \$38,092.95

A motion to adjourn was given by Councilman Johnson seconded by Councilman Schmidt at 9:12 p.m.

Respectfully Submitted,

Betty Jane Horning, Town Clerk