

**REGULAR TOWN BOARD MEETING
HELD AT THE MANSFIELD TOWN HALL
IN EDDYVILLE
AUGUST 21, 2017 AT 7:00 P.M.**

PRESENT

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

ALSO PRESENT

Bradley Hurley, Highway Superintendent

REGULAR MEETING BROUGHT TO ORDER

Supervisor Keis brought the August 21, 2017 Town Board Meeting to order at 7:00 p.m.

MINUTES OF LAST MEETING/APPROVED AFTER CHANGING CHARTER COMMUNICATIONS INSURANCE AMOUNT

For approval of the July 17, 2017 meeting minutes **A MOTION WAS GIVEN BY** Councilman Meyer seconded by Councilwoman Meeder approved carried to accept the minutes as read by correcting on Charter Communications Franchise Agreement page 4, 4.2 A. **Commercial General Liability Insurance is changed from 1 million to 5 million per occurrence** as advised by Town Attorney.

SUPERVISOR'S AND TOWN CLERK'S MONTHLY REPORTS/APPROVED

After Supervisor Keis presented his monthly report and the monthly report of Town Clerk **A MOTION WAS GIVEN BY** Councilman Meyer seconded by Councilman Schmidt no opposed carried to approve the monthly report from Supervisor and Town Clerk.

CHARTER COMMUNICATIONS/PUBLIC HEARING

With regard to the Town's Cable Service to all residences within the service area where Time Warner Cable Northeast LLC, locally known as CHARTER COMMUNICATIONS currently provides cable service in accordance with the provisions of Section 895.5 of the regulations of the NYPSC. The term of the Franchise and the rights, privileges and authority shall be an initial term of 15 years, commencing on the Effective Date as set forth in Section 15.13. The Board approved unanimously to schedule a Public Hearing to be held on September 18, 2017 at 7:00 p.m. at the Mansfield Town Hall, in Eddyville and to have notice published in the Town's Official Newspaper Ellicottville Times **ON A MOTION GIVEN BY** Councilman Meyer seconded by Councilwoman Meeder.

NEW YORK STATE DEPARTMENT OF REAL PROPERTY SERVICE/FINAL 2017 EQUALIZATION RATE

Supervisor Keis reported that according to the New York State Department of Real Property Services the final Equalization Rate for 2017 Assessment Roll remains at 100 percent.

NEW YORK STATE OFFICE OF THE STATE COMPTROLLER

Supervisor Keis reported that according to a report from the New York State Comptroller's Office the Town's preliminary Annual Fiscal Stress Score is the same as last year, the problem is caused by not enough carryover of funds in the DA Highway Account.

2018 BUDGET

In preparation of the 2018 Budget, Supervisor Keis informed Board members that he has provided Town employees with copies of the annual estimate for their 2018 salary.

Supervisor Keis, stated that he contacted Town Attorney to prepare a local law should there be an override in the tax limit. After discussion Board members **ON A MOTION GIVEN BY** Councilman Johnson seconded by Councilman Schmidt Resolved to pass a Resolution authorizing a public hearing on Local Law 1-2017 "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2018" RESOLVED, that a Public Hearing shall be held on the said proposed Local Law by this Board on the 18th day of September, 2017 at 7:05 o'clock p.m. at the Town Hall, Town of Mansfield, New York, and that at least five (5) days notice of such Hearing shall be given by the Town Clerk by the due posting thereof.

2018 BUDGET CONTINUED

Town Clerk had legal notice published in the Town's Official Newspaper Ellicottville Times.

CALIFORNIA HILL ROAD ABANDON REQUEST JOHN MAYER, MAYER FARMS LLC

With regard to prior discussion regarding John Mayer's asking for the Town's consideration to abandon California Hill Road, where it passes Meacham Hill, to the end of his property line. Mr. Mayer owns both sides of the road, and has cattle that crosses to the other side along with other farming.

Highway Superintendent Hurley reported that he was contacted by John Mayer, regarding the California Hill Road abandonment and asks for the Town to consider to fix the road, before its abandoned.

Councilman Johnson, spoke that he disagreed with the abandonment and noted what about access to State Land which is located on both sides of California Hill Road. Also, what would the cost be to the Town to repair the road, and what work would be done. He asked what about loss of CHIPS FUNDING and FEMA aid associated to road repair.

Superintendent Hurley stated he has been working on roads that have a lot of traffic, and this road is seasonal, and less traveled. He said he is aware that the road is poorly maintained, however highway has worked on the road twice this year and after heavy rain storms the road washes away.

Supervisor Keis stated that he is looking at long term, it is in the Town's best interest to abandon the road, as the costs associated for repair and maintenance would be substantial. He also noted that there are some Town roads that should have been already abandoned.

There was mention of what happens should someone builds a house on the property. Supervisor Keis replied that once a road is abandoned it cannot be taken back. The property owner would have to petition the Town.

Councilwoman Meeder mentioned should there be a public hearing. Supervisor Keis replied that he would check with Town Attorney.

Councilman Schmidt and Councilman Meyer would like the opportunity to examine the road.

After discussion Board members were in agreement to table this issue until Board members had the opportunity to examine California Hill Road.

HIGHWAY

Highway Superintendent stated that he has been in contact with Mark Burr, Cattaraugus County, Director of Engineering, regarding the steel decked bridge by Harson Road, before replacing the bridge the center line is to be extended 18 feet, and the slight curve straightened.

Also Highway Superintendent and Mark Burr discussed the bridge located at the end of Kent Road, the County will help the Town with the design when the bridge is replaced.

AUDIT OF FINANCIAL ACCOUNTS/APPROVED

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

AUDIT OF BILLS

After Board members audited the general and highway vouchers submitted for payment **A MOTION WAS GIVEN BY** Councilman Johnson seconded by Councilman Schmidt no opposed carried to pay the following:

General Fund Voucher Numbers 163 to 164, 166 to 182 in the amount of \$6,089.38 voucher number 165 was a duplicate billing statement.

Highway Fund Voucher Numbers 115 to 126 in the amount of \$21,140.16.

A motion to adjourn was given by Councilman Meyer seconded by Councilman Schmidt at 8:04 p.m.

Respectfully Submitted,

Betty Jane Horning, Town Clerk

