

April 9, 2020

The Mina Town Board met on the above date for the regular meeting. Supervisor Brumagin called the meeting to order at 7:02 pm by leading with the Pledge of Allegiance to the flag. The following members and guests were in attendance:

Present: Rebecca Brumagin.....Supervisor
Steve Burmaster.....Councilman
Dennis Luce.....Councilman (via video conference)
Dick Watrous.....Councilman

Absent: Ernie Roache.....Councilman

Attended by: Bill Himelein (Highway Superintendent), Sherri Schenk

Minutes: Motion was made by Councilman Luce and seconded by Councilman Watrous to accept the minutes of the March 12, 2020 meeting as presented. Motion carried.

Comments/Concerns from those present: none

Comments/Concerns from those not present: none

Novel Coronavirus (COVID-19) Pandemic:

- Supervisor Brumagin reported the following in regard to the COVID-19 Pandemic:
 - She spoke with the Town Attorney regarding holding the Town Board meeting in person or remotely. He stated that as long as the room we use allows for people to attend while abiding by the social distance guidelines of a minimum of six feet between people that the town board meeting could be held in person.
 - Governor Cuomo’s Executive Order #202 (New York on PAUSE) and that he declared a disaster emergency in the State of New York with currently 14 specific follow-up updates to the emergency order.
 - Governor Cuomo directed that all U.S. flags be lowered to half-staff in memory of those who have died from COVID-19.
 - County Executive PJ Wendel, at a recent briefing, reported that there could be a fine imposed up to \$1000 for not abiding by the social distancing directive.
 - Supervisor Brumagin and Highway Superintendent Bill Himelein plan to listen to the FEMA Assistance online seminar on 4/10/2020 at 9:00 am.
 - Supervisor Brumagin has been participating in the Town Supervisors and Mayors Tri-Weekly phone briefings by County Executive PJ Wendel and that they are changing it to bi-weekly, Monday and Fridays. The County Executive has also been holding briefings with Fire Departments and Highway Superintendents.
- Supervisor Brumagin prepared a reduction of town workforce analysis.
- Supervisor Brumagin also drafted a potential sales tax reduction analysis showing an estimated reduction in sales tax payments to the Town of Mina in 2020 of approximately \$111,774 (\$45,349 general fund, \$66,425 highway fund).
- The Board of Assessment Review grievance day is still being planned for the regular date and the hearing is allowed to be held in person or via video conferencing.
- Town Council gave kudos to Supervisor Brumagin for staying up to date with the dynamic changes required by federal, state and county officials.

- Highway Superintendent reported that the highway crew should be returning to work Monday, April 13, 2020 after being off since March 11, 2020 unless called in for emergency work. The time off for local government workers was per the Governor's Executive Order.
- Supervisor Brumagin reported that the following actions were taken in response to Federal, State and County Executive orders and guidelines:
 - On Tuesday, March 17th the Justice Court closed;
 - On Wednesday, March 18th the Highway Motor Equipment Operators were placed on paid leave with tentative return date of April 13, 2020;
 - On Friday March 20th restricted access for Town Clerk, Assessor, Building Inspector/Code Enforcement Officer at the Community Center was implemented and the Town Historian's office was closed;
 - On Monday March 23rd hours for the Town Clerk were reduced to Mondays 8:30-noon and 1-4:30, and Fridays 8-noon; Assessor in office hours were changed to Mondays 8:30-noon and 1-4:30, and work from home hours were changed to Wednesdays 8:30-noon and 1-4:30 and Fridays 8:30-noon; Building Inspector/Code Enforcement Officer hours remain Fridays 8-noon;
 - On Sunday April 5th, the above actions taken on March 23rd remained in place and the School Street Park/Courts were closed, the Community Center Pavilion and Playgrounds were closed, and access to the Community Center was restricted with all outside doors locked even during business hours.

Old Business:

- Supervisor Brumagin reported that the USDA Rural Development Application for highway equipment has received preliminary approval. The grant portion of the funding has been increased from \$50,000 to \$65,000.
- Supervisor Brumagin shared that she spoke with Attorney Tad Wright and he reported that combining French Creek and Mina Justice has been submitted to the State Legislature and to anticipate action by the legislature during the spring session.
- Supervisor Brumagin reported that when she spoke with Attorney Wright he advised that the Town should leave it up to the County Health Department regarding DEC Article 75-A and notification to neighbors of septic system installations. Councilman Burmaster asked to read the attorney's letter after looking over Article 75-A. Supervisor Brumagin will email the letter to the town board and it will be discussed at the next Town Board meeting.

Correspondence:

- Charter Communications – Upcoming changes.
- Ashley Skellie – Looking for marriage & death certificates for DAR requirements.
- Chautauqua County Board of Elections – Presidential primary postponement.
- Consolidated Communications – Reminding customers to always call before you dig to prevent injury, expense and penalties.
- National Grid – Information on what they are doing for customers during COVID-19.
- Clymer Central School – District newsletter.
- Town of Mina Assessor – 2020 Assessment notification for the School Street Park property.
- Association of Towns – Legislative newsletter
- NYSERDA (New York States Energy Research & Development Authority) – Information and updates about the South Ripley Solar & Storage Project.
- Russell Payne – Information on landfills.
- United States Bankruptcy Court – Notice of the disclosure statement hearing for Windstream Holdings, Inc..
- National Grid – Press release on wind forecast for 4/9/2020.

Reports:

- Highway Superintendent – Superintendent Himelein reported that the new town truck on order with General Motors has not arrived and there are no updates because the GM plant is shut down due to COVID-19 guidelines. CHIPS, Pave NY and Extreme Winter Recovery funds have been tentatively approved. Highway School has been cancelled due to COVID-19. He updated the Board on storm damage that took place on Tuesday evening April 7, 2020 involving Bailey Hill Road where one tree fell breaking a pole off causing the road to be closed for twelve hours, Shadyside Road where three trees and power lines were down so the road was closed for nine hours, Route 430 east of the hamlet where nine utility poles were knocked down and the Mina Cemetery where a large pine tree fell.
- Findley Lake Fire Department – Supervisor Brumagin gave kudos to the fire department for all the work during the recent wind storm.
- Assessor – Heather Young-Deyell’s report was handed out for March 2020. The exemption filing deadline was March 1. Assessment Change notices were mailed out and informal hearings will begin on Monday, April 13, 2020 and continue through Friday, April 24, 2020. The deadline to schedule the informal hearing is April 10, 2020. New construction and demolition assessments will be mailed in early May. The new CAP #4 Assessment webpage is active and contains pertinent information for the reassessment project and she will add more forms and current information as they become available. She also prepared a 2020 reassessment information sheet for town board members so that they would be aware of the process and timelines required by New York State.
- Code Enforcement – Melanie Eddy’s reports for March 2020 were distributed.
- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$1,516.00 for the month of March 2020. She has paid the Supervisor \$1,463.76, NYS Ag and Markets for dogs \$5.00, and NYS DEC \$47.24. She reported she will be closing out 2020 taxes and returning the unpaid tax bills to the County.
- Supervisor – Supervisor Brumagin distributed and reviewed the financials for March 2020. She reported that the Chautauqua County Economic Development Partnership, of which she is a member, will hold its next meeting via video conference on April 20, 2020.

New Business:

- Supervisor Brumagin reported that the Town of Mina could preliminarily approve an application to USDA for funding for equipment for the highway department. Because it is preliminary, in the event that the town is not able to follow through on the purchase of the equipment, the town would not be required to finalize the loan/grant agreements. Councilman Watrous made a motion, seconded by Councilman Burmaster to proceed with the application. Motion carried unanimously. Approved: Ayes – 4 Brumagin, Burmaster, Luce, Watrous
Nays – 0
- Councilman Luce made a motion, seconded by Councilman Watrous to ratify the April 5, 2020 actions of the Town Supervisor in regard to:
 1. Restricting Access to the Community Center
 2. Closing the Community Center Playgrounds and Pavilion
 3. Closing the School Street Park PropertyMotion carried unanimously.
Ayes – 4 Brumagin, Burmaster, Luce, Watrous
Nays – 0
- Supervisor Brumagin reviewed a proposed resolution on the Moratorium for Building Permits.

Town of Mina

Moratorium on Building Permits in Response to COVID-19 Precautions

Resolution #12-20

April 9, 2020

WHEREAS, the COVID-19 Pandemic has resulted in Executive Orders issued by New York State Governor Andrew Cuomo, and

WHEREAS, New York State has deemed certain businesses and functions to be designated as either essential or non-essential, and

WHEREAS, New York State and the Federal Government have established guidelines for minimal travel and social distancing from other individuals, and

WHEREAS, New York State has established an Enforcement Assistance Task Force to enforce these guidelines, and

WHEREAS, the safety of the property owners in the Town of Mina is a top priority, and

WHEREAS, the Town of Mina has the authority to place a moratorium on new and existing building permits, therefore

BE IT RESOLVED THAT, effective immediately until May 15, 2020 or the expiration of NYS Governor Cuomo's Executive Order #202, whichever date is earlier, the Town of Mina will not issue any new building permits for non-essential construction unless the work is being done by the property owner or a sole proprietor and that the permit does not require any variance from the standards as established by the Town of Mina Zoning Law dated September 8, 2010, and

FURTHERMORE, BE IT RESOLVED THAT, effective immediately until May 15, 2020 or the expiration of NYS Governor Cuomo's Executive Order #202, whichever date is earlier, the Town of Mina may revoke any existing building permits on any non-essential construction where there is more than one worker on the premises at any given time.

The motion was made by Councilman Watrous and seconded by Supervisor Brumagin and the vote was as follows:

Brumagin - Aye
Burmester - Aye
Luce - Aye
Watrous - Aye

The resolution passed unanimously.

- Supervisor Brumagin reported that the Town has received a few calls regarding 2-J's garbage collection service being temporarily closed. She reported that there is a health issue in the family and because of the pandemic it is understandable that the safety of his family is a priority and asked the Town Board to not consider this temporary closing to be a breach of contract with the Town of Mina. Councilman Luce made a motion, seconded by Councilman Burmaster to allow the interruption of service. Motion carried unanimously.
Ayes – 4 Brumagin, Burmaster, Luce, Watrous
Nays – 0
- The next regular town board meeting will be held on Thursday, May 14, 2020 at 7:00 pm.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers – The monthly claims were examined.

Councilman Luce moved, seconded by Councilman Burmaster, to pay the monthly claims. In the General Fund claim #80 through #92 in the amount of \$8,416.92 and in the Highway Fund claim #37H through #48H in the amount of \$12,791.56 were approved to pay. Motion carried unanimously.

Approved: Ayes – 4 Brumagin, Burmaster, Luce, Watrous
Nays – 0

Other Business/Actions:

- As there was no further business to come before the Board, Councilman Luce moved to adjourn the meeting at 8:39 p.m.

Respectfully submitted,

Sherrie R. Tanner
Town Clerk