

June 13, 2019

The Mina Town Board met on the above date for the regular meeting. Supervisor Brumagin called the meeting to order at 7:00 pm 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
Ernie Roache.....Councilman
Dick Watrous.....Councilman
Dave Wilcox.....Councilman

Attended by: Steve Burmaster, Denis Cooper (7:15 pm)(Mina Justice), Julie Emory, Melissa Gibbons (FLV Fire Department Board), Jack Hamilton (FLV Fire Chief), Bill Himelein (Mina Highway Superintendent), Ed Mulkearn (7:30 pm)(FL Watershed Foundation), Jeff Park (FLV Fire Department Board), Marty Proctor (County Legislator), Sherri Schenk

Minutes: Motion was made by Councilman Luce and seconded by Councilman Wilcox to accept the minutes of the May 21, 2019 meeting as presented. Motion carried.

Comments/Concerns from those present:

- Sherri Schenk inquired if anyone knew what the DEC was planning at the fishing access area. Supervisor Brumagin reported that she had called the DEC to inquire but they had not returned her call.
- Jack Hamilton questioned what the town board was considering with the fire department 2% foreign tax monies that will be direct deposited to the town. Supervisor Brumagin stated that was on the agenda for later in the meeting.

Comments/Concerns from those not present:

- Superintendent Himelein reported that he has spoken with Bill Wolfe who is willing to pay for a digital speed limit sign posted on Shadyside Road near Parsonage Road so that people would see how fast they are driving. The cost of the sign is approximately \$4,000 and Supervisor Brumagin asked the Highway Committee to meet with Superintendent Himelein and report back to the town board at the next town board meeting with a recommendation.
- Superintendent Himelein also reported that Larry Rater asked to have the town look into having someone take care of mowing the triangle intersection as it belongs to NY State and the State is are only required to mow it twice a year. This will also be referred to the Highway Committee.

Old Business:

- Supervisor Brumagin reported that the LED lighting for the gym was installed on June 5, 2019 and National Grid has been notified of the completion.
- Jonathon Mayr from Southern Tier West has notified the Town that the employee who was working on the cemetery project is no longer at Southern Tier West. Mr. Mayr will look into the status of the project and will report back to the Town as soon as he can.
- Justice Cooper reported on the meeting with French Creek that he, along with Supervisor Brumagin, held with Supervisor Dave White and Councilman Paul Carey from French Creek as part of the study approved by both town boards. He stated that French Creek is struggling to find someone to run for Town Justice so they would like the Town of Mina to take their court cases. The primary benefit to the Town of Mina is to defray some expenses associated with the office, the Community Center building and court security. The next step is for Supervisor White to contact Judge Markey from the NYS Court System. Justice Cooper then reported that the Town of Mina received money from a JCAP (Justice Court Assistant Program) Grant written in 2012 when

Marilyn Gerace was serving as interim Town Justice. Documentation of expenditures needs to be reported to the state. He is requesting a copy of the original grant approval from the state. He then reported that the new centralized arraignment program that the county has in place is working well. He will be presiding over the county arraignment court for two weeks in November. He also reported that the state legislature is passing legislation to eliminate bail as it is considered unfair to those with limited resources. There is a meeting of area justices next week and Justice Cooper will receive more information on that subject at the meeting.

- Chautauqua County Shared Services Sewer Agency Meeting – The initial meeting of the agency was held on June 13, 2019 and included the following:

Members:

Rebecca Brumagin (Town of Mina Supervisor)
Ed Mulkearn (FL Watershed Foundation President)
Mark Persons (Town of Sherman Supervisor)
Colleen Meeder (Village of Sherman Mayor)
Marty Proctor (Chautauqua County Legislator – Mina & Sherman)
Frank “Jay” Gould (Chautauqua County Legislator – French Creek)

County Officials:

Dave McCoy (Watershed Coordinator at Chautauqua County Department of Planning & Economic Development)
Bill Boria (Chautauqua County Health Dept. Senior Water Resource Specialist)
Kathy Tampio (County Clerk of the Legislature)
George Borrello (County Executive)

Guests:

Jeff Messinger (Peek’n Peak Facilities Manager)
Donny Wensinger (Peek’n Peak Resort Manager)

Member Dave White, French Creek Superintendent, wasn’t able to attend, and County Executive George Borrello will appoint one additional member to bring the agency up to full complement. An amendment was approved by the group to include Peek’n Peak in the study. It’s a study that will be paid for by funds allocated by the county to the sewer agency. The Village of Sherman will take the lead agency on the proposal, as it already has a contract with the engineering firm and could add this as an amendment to the existing agreement. The proposal/amendment outlines three alternatives: 1) A Town of French Creek (Peek’n Peak) and Findley Lake Sewer District with Treatment provided by the Village of Sherman; 2) A Town of French Creek (Peek’n Peak) and Findley Lake Sewer District with Treatment provided by upgrading the existing Peek’n Peak WWTP, or locating a new WWTP along French Creek; 3) A Town of French Creek (Peek’n Peak) with Treatment provided by upgrading the existing Peek’n Peak WWTP, or locating a new WWTP along French Creek. Additionally, Supervisor Brumagin suggested that the Chautauqua County Health Department provide the Mina Town Board with an overview on septic system upgrades around Findley Lake.

Reports:

FL Watershed Foundation – Ed Mulkearn reviewed the 2018 CSLAP (Citizens Statewide Lake Assessment Program) report that Alex Lictus spoke about at last month’s town board meeting. Ed shared that the report shows that the lake continues to be classified as impaired on a national level due to septic failure, weeds on the bottom of the lake, farming, and ground water. He reported that the FL Watershed annual meeting will be held the third Saturday of July (July 20th) at Camp Findley. He also reported that a rod broke on the new harvester due to the cutter sitting lower in the lake than the old harvester resulting in it hitting more stumps. It has been repaired and is running again. The Watershed Foundation is very happy with the new weed harvester. He then inquired if the town board had made a decision on the Watershed Foundation’s request for 15’-20’ increased space for a wider turn around to make it easier to maneuver trucks and trailers. Discussion held. Councilman Wilcox made a motion, seconded by

Councilman Luce to allow the FL Watershed Foundation to add 20' of width to the turn-around area.

Motion carried.

Ayes – 5 Brumagin, Luce, Roache, Watrous, Wilcox

Nays – 0

Old Business:

- Dead tree on town park property - Supervisor Brumagin and Superintendent Himelein looked at the tree that needs to come down on the town park property. Superintendent Himelein stated it needs to come down this year and the cost is expected to be between \$200-\$350. He also said there are about 35 other trees throughout the town that also need to be taken down. In late August or September he will rent a lift and take care of all of the trees at that time.
- Supervisor Brumagin reported that after speaking with the Town Attorney, an ordinance needs to be written to establish a fee for unauthorized signs in the Town of Mina. After the ordinance is written, a public hearing needs to be scheduled. Once the ordinance has been passed, it will go into effect 10 days after publication in the official newspaper.
- Findley Lake Fire Department 2% Foreign Tax Monies – Supervisor Brumagin reported that NY State notified the Town that they would be direct depositing the funds; the Town will accept the funds and then distribute the full amount.

Reports:

- FLVFD – Jeff Park reported that the USDA grant paperwork for a new fire truck has been completed. It will be August or September before the fire department hears back from USDA regarding approval. The money will be used toward a new pumper/tanker to replace two trucks. The total cost of the truck is \$301,000. The grant portion of USDA funding will be \$45,000 and the department will take out a 20 year loan with USDA for the balance. He reported that the fire department has a busy summer with the PGA golf tournament at the Peak from July 1, 2019 to July 6, 2019, a triathlon event on August 3-4, 2019 and the Findley Lake Nature Center run/walk around the lake on July 6th. Members are also taking training classes and, as always, they are looking for more members to join the department.

Old Business:

- Supervisor Brumagin reported that John Skellie removed the shrubs on his property that bordered the town's property since he was concerned about ticks.

Correspondence:

- Charter Communications – Updates on TV programming.
- Clymer Central School – June 2019 Budget revote newsletter.
- Chautauqua County Real Property Tax Service – Notification that the Town of Mina is at 100% final equalization rate.
- Town of Mina Zoning Board – Notice of a public hearing to consider an application for Gregory Rushin to construct a 12' x 20' storage shed.
- Univera Healthcare – Informing the Town of Mina they are filing a request with the State of New York to increase the premium by 7.2%.
- United States Bankruptcy Court – Information on filing a claim against Windstream Holdings, Inc.
- Spectrum – Asking to meet and compare prices for town phone services.
- Nationalgrid – Information on their “10,000 Trees...and Growing!” program

Reports:

- Highway Superintendent – Superintendent Himelein distributed his report for June 2019. He reported that he attended highway school in Ithaca and felt it was very informational on the topics of watersheds, erosion, ditching and flood retention. The West Mina Hill project has been completed for this year. He is working with Civil Engineer Lex Brumagin on the tennis/basketball

courts project and assessing what options will work best. Currently they are thinking to contract for milling off the court, lay an under treatment and have the Town of Mina highway department do a surface treatment and crack sealing, and then paving would be done by an outside contractor selected from the NYS Office of General Services state bid. The adjuster from NYMIR is expected to report back on Wednesday on the town pick-up truck that was involved in a one vehicle accident on May 28. The Highway Superintendent will follow up with the Highway Committee once he gets the estimate on the repair. Beavers in several locations are being a nuisance and impacting drainage of town roads.

- Dog Control – Sandy Kochanowski spoke with Supervisor Brumagin about repeat offenders when it comes to the late renewal of dog licenses. She would like to have a fee for those who register their dogs after the due date.
- Recreation Committee – Supervisor Brumagin reported that the Recreation Committee is submitting recommendations for summer program positions. Councilman Roache made a motion, seconded by Councilman Luce, to hire the following individuals; Breanna Summers (3rd year), Summer Recreation Director at \$15.50 per hour; Fineghan McDonald (3rd year), Summer Recreation Assistant at \$12.10 per hour; Elizabeth Brumagin (2nd year), Summer Recreation Assistant at \$11.60 per hour and Eleanor McDonald (1st year) as Summer Recreation Assistant at \$11.10 per hour. Motion passed.
Ayes – 5 Brumagin, Luce, Roache, Watrous, Wilcox
Nays – 0
- Assessor – Heather Young-Deyell’s report was handed out for May 2019. There was one petitioner at grievance day with the Board of Assessment Review on May 28, 2019. The final equalization from NYS ORPTS (Office of Real Property Tax Services) was given and the Town of Mina will remain at 100% for the 2019 Assessment Roll. The final roll will be filed by July 1, 2019. The Assessor will be working on sales verifications during the summer months. A full reassessment for CAP #4 (Towns of French Creek, Mina & Sherman) is scheduled for 2020.
- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$1,406.00 for the month of May 2019. She has paid the Supervisor \$671.63, NYS Ag and Markets for dogs, \$36.00, NYS Health Department for marriage licenses, 112.50 and NYS DEC \$585.87. She also reported that the grant for shelving that Southern Tier West submitted was not approved but they are planning on applying again next year.
- CEO/Building Inspector – Melanie Eddy’s report for May 2019 was distributed.
- Supervisor – Supervisor Brumagin distributed and reviewed the May 2019 financial statements. She reported that the town’s community center cleaner had surgery for a brain aneurism and will be out of work for a few weeks. She is expected to make a full recovery. The town will look for someone to fill in while she is out. The Supervisor also reported that she is still waiting to hear back from Dr. Faulk on signing the agreement for an AED at the Community Center.

New Business:

- Supervisor Brumagin reported that the Planning Board will hold its initial meeting this coming week.
- Supervisor Brumagin reported that solicitation is starting up again so an ordinance needs to be in place for the Town of Mina. She presented a draft ordinance for the board’s review and consideration for action at the July town board meeting. After approved, a public hearing will need to be scheduled.
- Supervisor Brumagin reported that the Assessor met the 100% final equalization rate for the Town of Mina. Councilman Luce made a motion, seconded by Councilman Wilcox to release the Assessor’s incentive for maintaining 100% equalization. Motion passed.
Ayes – 5 Brumagin, Luce, Roache, Watrous, Wilcox
Nays – 0
- Supervisor Brumagin reported that Sheriff Quattrone is scheduled to attend the Mina Town Board meeting on July 11, 2019 to introduce himself and to see if there are any town concerns.

- The next regular Town Board meeting is scheduled for Thursday, July 11, 2019 at 7:00 pm.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers – The monthly claims were examined. Councilman Wilcox moved, seconded by Councilman Watrous, to pay the monthly claims. In the General Fund claim #144 through #171 in the amount of \$15,135.56 and in the Highway Fund claim #74H through #87H in the amount of \$85,784.41 was approved to pay. Motion carried unanimously.

Approved: Ayes – 5 Brumagin, Luce, Roache, Watrous, Wilcox

Nays – 0

Other Business/Actions:

- Supervisor Brumagin thanked Dan Norcross for inflating the balloons (called punch balls) for the children for gifts at the 2019 Memorial Day Program.
- As there was no further business to come before the Board, Councilman Roache moved to adjourn the meeting at 9:29 p.m.

Respectfully submitted,

Sherrie R. Tanner
Town Clerk