

February 11, 2021

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
Steve Burmaster.....Councilman
Marty Proctor.....Councilman
Dick Watrous.....Councilman

Absent: Ernie Roache.....Councilman

Attended by: Pat Cuneo (Planning Board), Kris Gleason (Planning Board), Bill Himelein (Highway Superintendent), Ed Mulkearn (Findley Lake Water Shed Foundation & Sewer Work Group), John Shifler (Planning Board via zoom), Tad Wright (Town Attorney)

Minutes: Motion was made by Councilman Watrous and seconded by Councilman Proctor to accept the minutes of the January 14, 2021 meeting and the January 28, 2021 special meeting as presented. Motion carried.

Comments/Concerns from those present:

- Sewer Work Group – Ed Mulkearn reported that the Findley Lake Watershed Foundation sent out survey letters asking if people would be willing to sign a petition to revisit a proposed sewer district formation in Findley Lake. The survey was sent to property owners around the lake and in the light district. Out of the approximately 400 surveys sent out, 162 completed surveys were received as of February 5, 2021. There were 112 people that indicated yes, 37 no, and 13 maybe. At least half of the no votes were because those people had recently installed a new septic system. The sewer work group will review the comments from the survey and determine next steps. Councilman Proctor reported that he, Supervisor Brumagin, and Ed Mulkearn from the sewer work group met with Town of Ripley Supervisor Doug Bowen to ascertain if there would be any potential interest in working with the Town of Mina to connect with Ripley’s wastewater treatment system. The question was raised as to how many miles from Ripley that Mina would need to pump. It was speculated that it might be around 11 miles. When Mina was in discussion with the Village of Sherman regarding wastewater treatment systems, the distance to pump was around eight (8) miles.
- Planning Board – Pat Cuneo reported that the Planning Board has been meeting regarding solar panels/farms. The Planning Board recommends that the Town Board extend the current moratorium on solar panels/farms for an additional six months as the Planning Board is continuing to research various types of solar installations and anticipates having a more definitive recommendation for the Town Board before the expiration of the six month moratorium.

Comments/Concerns from those not present:

Councilman Burmaster reported that he received a phone call asking that the highway department plow to leave some accumulation of snow on the edge of Bailey Hill Road so that snowmobilers can take a shortcut using the road from Pine Junction to another section of the snowmobile trail. Highway Superintendent Himelein asked for further clarification on the

snowmobile law designating town roads for snowmobiling and the impact on plowing snow. He will review the situation and report back to the Town Board.

Executive Session:

At 7:44 pm Councilman Burmaster made a motion, seconded by Councilman Watrous, to adjourn to Executive Session to discuss real property matters and contractual issues with Attorney Wright. Motion carried. At 8:39 pm Councilman Proctor moved, seconded by Councilman Watrous, to return to regular session. Motion carried unanimously.

Other Business:

- Councilman Watrous made a motion, seconded by Councilman Proctor, for Attorney Wright to arrange for title searches on the New York State Picnic Access Area on Sunnyside Road and the two Town Parks on Shadyside Road. Motion carried unanimously.
- Supervisor Brumagin reported that she is working on the “Public Employer Health Emergency Plan” for the Town of Mina which New York State is requiring that municipalities have in place by April 1, 2021. She will review the requirements and submit a recommendation at the next Town Board meeting.

Novel Coronavirus (COVID-19) Pandemic:

- Supervisor Brumagin reported the following in regard to the COVID-19 Pandemic:
 - Federal:
 - FEMA will now be involved in vaccine distribution.
 - New York State:
 - Governor Cuomo’s Executive Order #202 (New York on PAUSE) Disaster Emergency Declaration: currently there have been 92 updates/modifications.
 - The first quarterly sales tax distribution was received this week and was in line with the 2021 budget, however, the New York State is going to hold back monies from the counties and the next quarterly sales tax payment may be considerably less.
 - NY Court System notified the town that courts will remain closed until further notice.
 - Chautauqua County:
 - Statistics as of 02/11/2021: 129 total deaths; 27 currently hospitalized; 233 active cases; 7,170 total cases.

Old Business:

- Supervisor Brumagin reported that she will look through past Town Board minutes to work on a list of employees who should be recognized on the proposed 20+ year employee honor roll.
- Supervisor Brumagin reported that the Town of Sherman has an individual working with its dog control officer and that person may be willing to fill in for the Town of Mina should a need arise.
- Supervisor Brumagin reported that the Town of Mina was notified that funding has been approved for two new tables for the Justice Court from a JCAP grant in the amount of \$522.09.
- The Town of Sherman’s Justice has recently resigned and the Town of Sherman has expressed an interest in joining the Town of Clymer in a shared justice study with the Towns of French Creek and Mina.

Correspondence:

- Charter Communications – Upcoming changes.
- Southern Tier West – 2021 spring training webinars info.
- NY Climate Action Council – Media advisory NYS climate action council advisory panels and working group to hold public meetings during the week of February 1, 2021.
- NYS Office of the State Comptroller – Updating Justice files.
- Overhead Door of Jamestown – Changing its name from Overhead Door Company of Jamestown to Plyler Entry Systems.
- Chautauqua County Dept of Health – Results of a water sample from the Community Center indicating it is “Satisfactory for Human Consumption”.
- Association of Towns’ Legislative Newsletter – 2021 Annual Conference information, executive budget, return of withheld funds, federal issues.
- NYMIR (New York Municipal Insurance Reciprocal) – Checking on the status on recommendations they made to the Town of Mina.
- FEMA (Federal Emergency Management Agency) – Information on a webinar on FEMA Flood Risk Study.
- South Ripley Solar Project – Notice of an informational meeting by Isaac Phillips, Project Developer, regarding the South Ripley Solar Project.
- NYS Division of Building Standards and Codes – Notice that a report of activities to the Secretary of State must be submitted.
- NYS Division of Building Standards and Codes – Confirmation that an electronic submission of the Uniform Code and Energy Administration and Enforcement Report was submitted by the Town of Mina on 2/5/2021.
- Chautauqua County Dept. of Health – Letter regarding Chautauqua County’s mandatory septic system inspection program with a copy of the Findley Lake Watershed Foundation sewer district survey.

Reports:

- Highway Superintendent – Superintendent Himelein’s report was distributed. He reported 107” of snow so far this season and $\frac{3}{4}$ ” of ice. Projected delivery of the plow truck is May and projected delivery of the tractor is the first part of May. The highway crew has had some trouble with the fuel pumps on tanks that fill the trucks, however, the fuel pumps are working now.
- Assessor – Heather Young-Deyell’s report was handed out for January 2021. The 2021 Tentative Equalization rate for the Town of Mina was set at 94.61% and with an additional 5% allowed per the assessor’s discretion; the final rate is anticipated to be 99%. The 94.61% was determined at the state level by a sales versus assessment analysis. The housing market for 2020 was extremely volatile, with evidence of this throughout most of New York State. The equalization rates for every municipality in Chautauqua County were negatively impacted because of the housing market changes in 2020. The assessor will be reviewing neighborhoods in the three towns (Coordinated Assessment Program #4 – the Towns of French Creek, Mina and Sherman) to determine if a reassessment may be necessary this coming year in one or more of those neighborhoods.
- Planning Board – It was reported that they will be meeting regularly while they continue to research solar panels/farms.
- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$1,055.00 for the month of January 2021. She has paid the Supervisor \$843.28, NYS Ag and Markets for dogs \$18.00, and NYS DEC \$193.72. She

reported that there are only 217 unpaid tax bills left from town/county taxes with \$287,000 left to collect.

- Code Enforcement – Melanie Eddy’s reports for December 2020 and January 2021 were distributed.
- Supervisor – Supervisor Brumagin distributed the January 2021 financials. She also reviewed the list of General and Highway certificates of deposit.

New Business:

- Councilman Proctor reported that he and Councilman Burmaster met with the Findley Lake Volunteer Fire Department Board. He stated that he is going to head up the annual fund drive that has not been held for a few years and he reported that the department needs more volunteers.
- Councilman Proctor made a motion, seconded by Councilman Watrous, to extend the moratorium for six months on the solar panels/farms as recommended by the Town of Mina Planning Board. Motion carried unanimously.

Town of Mina
Board Resolution #10-21

Towns of Clymer and Sherman Resolution in Support of a Single Town Justice for the Towns of French Creek, Mina, Clymer and Sherman

WHEREAS, over the past several years the administrative and financial cost associated with maintaining a Justice Court has increased for each of the Towns; and

WHEREAS, The Town of Clymer has experienced, and continues to experience, increased difficulty with attracting and retaining qualified Justices of the Peace; and

WHEREAS, the Town of Sherman has experienced and continues to experience significant and substantial lowering of court activity in recent years; and

WHEREAS, the New York legislature has enacted legislation authorizing Towns that form a contiguous geographic area within the same County to elect a single justice to preside in the Town Courts of each of the Towns or to establish a single justice court for the Towns; and

WHEREAS, the Towns of French Creek, Mina, Clymer, and Sherman wish to conduct a study to determine whether by sharing resources the four towns are able to streamline their Court systems, to reduce the financial costs to each town while maintaining judiciary service for its residents, and whether such sharing of services is in the best interest of each town.

NOW THEREFORE, BE IT

RESOLVED, that the Town of French Creek, the Town of Mina, the Town of Clymer, and the Town of Sherman hereby authorize a joint study to be undertaken to the consolidation of their respective Justice Courts and/or the election of a single Town Justice to preside in the Town Courts of each of the Towns. The study shall be conducted by a committee of two (2) members from each Town, each member to be appointed by the Supervisor of the respective Town.

A motion was made by Councilman Proctor and seconded by Councilman Burmaster to accept the resolution. The vote was as follows:

Supervisor Brumagin – Aye
Councilman Burmaster – Aye

Councilman Proctor – Aye
Councilman Watrous – Aye

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers – The monthly claims were examined. Councilman Watrous moved, seconded by Councilman Burmaster, to pay the monthly claims with an adjustment to the the ShelterPoint Life disability insurance invoice as it needs to be allocated between the general and highway funds. In the General Fund claim #28 through #48 in the amount of \$21,863.36 and in the Highway Fund claim #11H through #27H in the amount of \$32,365.73 were approved to pay. Motion carried unanimously.

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

Other Business/Actions:

- As there was no further business to come before the Board, Councilman Proctor moved to adjourn the meeting at 9:34 p.m.

Respectfully submitted,

Sherrie Tanner
Town Clerk