

July 8, 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 (7:13)
Dick Watrous.....Councilman

Absent: Ernie Roache.....Councilman

Attended by: Bill Boria (Chaut. County Health Dept.), Julie Dobson, Christine Craffey, Kim Freund, Bill Himelein (Highway Superintendent), Nathalie Morgen, Ed Mulkearn (8:23), Sherri Schenk, Deb Thresher, Tad Wright (Town Attorney)

Minutes: Motion was made by Councilman Watrous and seconded by Councilman Burmaster to accept the minutes of the June 10, 2021 meeting as presented. Motion carried.

Comments/Concerns from those present:

- Kim Freund had questions regarding the county septic inspection program. Supervisor Brumagin asked Bill Boria to respond to her questions during his presentation.
- Nathalie Morgen asked for an update on speed enforcement around the lake and wondered if anything more was being done about the gravel pit operations on Bailey Hill Road. Supervisor Brumagin reported that a traffic device was placed on Sunnyside by the Sheriff's Department and that they have also increased their patrols. Councilman Burmaster reported that he spoke with Tim Girts who will be operating the gravel pit. Mr. Girts shared with him that the hours of operation will be weekdays from 8 a.m. to 3 p.m. and that a screen will be used and not a crusher.
- Deb Thresher wondered how far off the back of someone's property line the gravel pit will be operating and questioned if what is being opened up is further away from her property. Supervisor Brumagin stated she would provide her with a copy of the map from the environmental report that shows the location of the permitted gravel pit.

Comments/Concerns from those not present:

- Councilman Burmaster reported that he received positive comments on the fireworks display this year and all agreed they were great. Sherri Schenk also reported that Matt Hanby from Matters of the Hearth who organizes the fireworks told her that he has to find a new place to set off the fireworks next year as the property owner on Bailey Hill will not be allowing his property to be used for fireworks in the future.

Septic Replacement Grants:

- Bill Boria from the Chautauqua County Department of Health and Human Services (CCDOH) presented updated information on a grant opportunity for septic replacement. As a follow-up to his presentation from the June 10, 2021 town board meeting, he reported that the County has been awarded \$150,000 but that the money is for both Chautauqua and Findley Lakes and includes properties that border the lakes in the Towns of Ellery, Chautauqua and Mina. He stated the Q & A document that he passed out last meeting will be updated to include all three towns. The rollout date will also change. He

is hoping to begin applications on July 15, 2021. Councilman Burmaster mentioned that he thought it would be good to advertise through social media. Kim Freund questioned how many septic systems the county has inspected since the town voted down the sewer district in 2017. Bill Boria explained that a hold was put on mandatory inspections as the County was looking into a sewer district and that ended in early 2020. He also stated that the best solution for lake quality would be a centralized public sewer system.

Executive Session:

At 7:20 pm Councilman Burmaster made a motion, seconded by Councilman Proctor, to adjourn to Executive Session to discuss real property matters with Attorney Wright. Motion carried. At 8:23 pm Councilman Watrous moved, seconded by Councilman Burmaster, to return to regular session. Motion carried unanimously.

Novel Coronavirus (COVID-19) Pandemic:

- Supervisor Brumagin reported the following in regard to the COVID-19 Pandemic:
 - Federal:
 - The American Rescue Plan Act funding for the Town of Mina will be reviewed under old business.
 - New York State:
 - The State is back to full activity for individuals who have been fully vaccinated. The evictions moratorium is scheduled to be lifted on September 1st.
 - Chautauqua County:
 - Vaccines administered as of 6/29/21: 1st dose 56,778 (44% of eligible residents), fully vaccinated 52,430 (41% of residents). These numbers now include youth from age 12 and up. CDC Level of Community Transmission for Chautauqua County – low.

Old Business:

- Accessible Parking – Superintendent Himelein reported that the NYS highway work permit for the town to paint accessible stencils has been approved.
- Councilman Burmaster reported he called one of the companies who provided a quote regarding the replacement of the front doors and windows at the Community Center and was told to add 15% to the cost and to add three weeks to the lead time.
- USDA Rural Development – Supervisor Brumagin reported that they are waiting on the delivery of the tractor and the dump/plow truck before the closing can be scheduled.
- Findley Lake Volunteer Fire Department – Councilman Burmaster reported that they are looking for someone to help prepare a business plan for the fire department.
- Supervisor Brumagin reported on The American Rescue Plan Act Funds (ARPA). She stated that the total for the Town of Mina will be \$106,233 and has calculated approximately \$71,642 as revenue loss which can be used for various government services projects. The town board previously approved ARPA funds for a preliminary sewer engineering study at \$36,000. If the town receives a CFA (Consolidated Funding Application) grant of \$30,000 then the ARPA Funds needed by the town would only be \$6,000. Supervisor Brumagin and Highway Superintendent Himelein will prepare a list of potential government services projects for the town board to consider.
- Sewer District Update - Supervisor Brumagin reported that a RFP (Request for Proposal) is being prepared with assistance from Catherine Rees from RCAP Solutions.

Additionally, Karl Kimmich, a local property owner, is putting together a summarization of the various lake studies that have been conducted over the years.

- Supervisor Brumagin reported that the Chautauqua County Sheriff's Department has placed a traffic speed device on Sunnyside Road. It was removed after two weeks. She will contact them regarding using the device again as well as the impact of their increased patrols.

Correspondence:

- Charter Communications – Upcoming changes.
- Community Bank – Notification of hours being modified at the Sherman and Ripley branches beginning September 13, 2021
- Clymer Central School – Information on the class of 2021
- Town Web Design – Information on municipal website design and hosting.
- NYSDEC – 28th Annual ReLeaf Conference information.
- Findley Lake Fireworks Fund – Annual Fund Drive.
- Findley Lake Watershed Foundation – Letter reporting recent sewer survey results.
- Chaut. County Legislature – Public Notice of Public Hearing on Modifications to Chautauqua County's Agricultural Districts.
- Spectrum Enterprise – Information on programs being offered.
- Pinsky Law Group – Information on registering for a live-streamed presentation addressing marijuana and municipal employment.
- Consolidated Communications – Information on New York COVID-19 state of emergency and the services being provided.
- NationalGrid – June 2021 Natural Gas Safety Connection.
- Office of the State Comptroller – Information for Town Board members to join a webinar for "Financial Condition Analysis for Board Members".
- Southern Tier West – Updating its e-mail list of town officials.

Reports:

- Highway Superintendent – Superintendent Himelein reported that the highway crew has spent 80% of the month paving. They have completed 1.6 miles in Mina (Sulphur Springs Road east side). The next thing they will be doing is shoulder work in all of the towns where they have paved. He reported that the tractor arrived at the dealer and the implements should be installed next week. The dump truck has arrived at the dealer and will be upfitted for the plow; it should be delivered to the town on August 16th and payment will be due 30 days from delivery. Larry Gross asked last month about parking at the highway barns for the Harvest Fest and Superintendent Himelein reported that 20-25 vehicles should be able to park there without blocking the garbage collection and the overhead doors. He is looking into a grant opportunity for a new salt shed and he distributed handouts with photos of the deteriorating condition of the current salt shed. The grants are up to \$500,000 and require a 50% match (out of pocket or in-kind). The approximate cost to construct a new salt shed would be \$265,000. He would like to pursue this grant opportunity and would need to demolish the existing salt shed. The grant money has to be spent by the end of 2022 and he would like the new shed to be built in a way for better runoff of water. Chautauqua County Soil and Water Conservation will assist with the application process at no cost.
- Recreation Committee – Supervisor Brumagin reported that she and Nancy Roche are meeting with Sylvia Daniels of Sign Depot tomorrow on the new sign for the School Street Park. The School Street Park dedication is still being planned for Saturday, August 14, 2021 but may need to change to a later date. She also reported that the summer

recreation program has started and is going well. The soccer and t-ball programs will also begin this month.

- Assessor – Heather Young-Deyell’s report was handed out for June 2021. She reported that the 2021 final assessment roll has been filed with the Chautauqua County Real Property Tax Department. A copy of the roll will be available on the assessment webpage before July 10th. The sales analysis of CAP #4 will begin once the June deeds have been received from the County Clerk’s Office. This process will help to determine which areas have the biggest disparity in sales vs. assessment.
- Town Justice – Supervisor Brumagin reported that the legislation for all four towns to participate in a single elected justice passed in both state houses and was signed by the Governor. The Justice position for all four towns (Clymer, French Creek, Mina, and Sherman) will be on the ballot this November.
- Findley Lake Watershed Foundation – Ed Mulkearn reported that the lake level is coming up slowly and is about 5-7 inches down from normal summer level. Weed harvesting has started but they are having difficulty loading weeds on the conveyor to full capacity at its current location so they are contemplating moving the conveyor near the Mercyhurst Rowing property on Sunnyside. He reported they removed six loads of weeds on the first day. Because the lake level was too low, the weed harvester needed to be lifted by a crane and placed in deeper water at a cost of \$4500. He reported that for the Findley Lake Watershed Foundation annual meeting, they will have a speaker (virtually) from Princeton Hydro.
- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$1,039.00 for the month of June 2021. She has paid the Supervisor \$679.06, NYS Ag and Markets for dogs \$15.00, NYS Health Dept. for marriage licenses \$112.50 and NYS DEC \$232.44. She reported Southern Tier West contacted the town to see if the Town of Mina would be interested in participating in a grant to have town cemetery records, payroll and annual reports digitized.
- Findley Lake Volunteer Fire Department – Councilman Proctor reported that the fire department raised approximately \$27,000 from the annual appeal letter. The chicken barbeque fundraiser that was held on July 4th sold out.
- Code Enforcement – Melanie Eddy’s report for June 2021 was distributed.
- Supervisor – Supervisor Brumagin distributed the June 2021 financials and reported that the first mortgage tax payment has been received and was higher than budgeted. She reported she participated in a zoom meeting for elected officials with Senator Borrello and during the session she thanked him for his support on advancing the single justice legislation.

New Business:

- Supervisor Brumagin reported that Catherine Rees from RCAP Solutions is helping prepare the legal notice on the Preliminary Sewer Engineering RFP (Request for Proposal). Councilman Proctor made a motion, seconded by Councilman Watrous to accept Resolution #15-21 on the Preliminary Sewer Engineering RFP. Motion carried unanimously.

Resolution to Submit Grant Application for Preliminary Engineering Study
#15-21
July 8, 2021

WHEREAS, a core strategy for the Western New York Regional Economic Development Council region is to implement Smart Growth which includes investing in infrastructure, investing in developed areas, and protecting water resources, and

WHEREAS, New York State has recently announced Consolidated Funding Grants for 2021, and

WHEREAS, the New York State Department of Environmental Conservation and the Environmental Facilities Corporation Wastewater Infrastructure Engineering Planning Grant program is now accepting applications, and

WHEREAS, Findley Lake is classified as an impaired water body by New York State Department of Environmental Conservation (DEC) due to elevated levels of phosphorus and nutrients which has led to nuisance aquatic weed growth and is also responsible for harmful algal blooms, and

WHEREAS, according to the New York State DEC TMDL (Total Maximum Daily Load) plan for Findley Lake, a large cause of the excessive nutrient and phosphorous loading is nearby septic systems and a new public sewer district is recommended, and

WHEREAS, in recent months, the results of a survey of property owners in a potential sewer district has been communicated to the Mina Town Board showing a significant amount of support for a public sewer system, if monthly fees to the property owners are reasonable, and

WHEREAS, Findley Lake, in addition to being an important natural resource, is also a critical economic resource for the Town of Mina and heavily drives the surrounding area's tourism industry, and

WHEREAS, summer lake tourism is a critical source of income for numerous local businesses located in the hamlet of Findley Lake, and

WHEREAS, the creation of a public sewer system may attract future economic development as the lack of public sewers currently hinders what can be developed in the area, and

WHEREAS, the Town of Mina is seeking to complete a comprehensive engineering study that will result in a dual Preliminary Engineering Report (PER) and Map, Plan, and Report (MPR) for the formation of a new sewer district that includes the areas around Findley Lake as well as the business districts identified in the Town of Mina Zoning Law dated July 11, 2020, and

WHEREAS, an engineering study will build upon past district formation efforts and will include re-evaluating a potential sewer district boundary as well as various conveyance/treatment alternatives, and

WHEREAS, Consolidated Funding applications are accepted through July 30, 2021, and

WHEREAS, the Town of Mina requires the assistance of an engineering firm to prepare the documents necessary for submission of the Consolidated Funding application, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Mina hereby approves the submission of a Consolidated Funding application for a Preliminary Engineering Study for the Town of Mina, and

BE IT ALSO RESOLVED, that the Town Board of the Town of Mina hereby approves the assistance of Barton & Loguidice with preparing the Consolidated Funding application

Brumagin – Aye

Burmester – Aye

Proctor – Aye

Watrous – Aye

- Supervisor Brumagin reported that she has been working with Highway Superintendent Himelein on the highway department's benefit schedule and they are recommending that employees with 20+ years of full-time employment, upon retirement, continue to receive three months of health insurance coverage at their current coverage. Councilman Burmaster made a motion, seconded by Councilman Proctor to accept this recommendation. Motion carried unanimously.
Ayes – 4 Brumagin, Burmaster, Proctor, Watrous
Nays – 0
- Supervisor Brumagin shared information on the comment period for the Town of Ripley Solar Local Law. She will provide copies of the document to those on town board who would like a copy. In addition to other issues, the Town of Mina is concerned with heavy equipment during construction traversing Town of Mina roads. Supervisor Brumagin will prepare a response and requested that the town board members contact her with any specific concerns they may have.
- Supervisor Brumagin shared information on the County's Farmland Protection Plan and said she expects the county to schedule a meeting with her to discuss. Councilman Proctor stated he would like to join the meeting if his schedule allows.
- Councilman Proctor made a motion, seconded by Councilman Burmaster to apply for the Salt Shed CFA (Consolidated Funding Application) Grant. Motion was passed unanimously.
Ayes – 4 Brumagin, Burmaster, Proctor, Watrous
Nays – 0
- Supervisor Brumagin reported that she spoke with the supervisors from the Towns of Clymer, French Creek and Sherman and they are recommending that a single dog enumeration be performed for all four towns using an enumeration services company. Additionally, all four towns are recommending hiring Kelly Thorton as the Dog Control Officer with each town responsible for her pay. She is currently the dog control officer for the Town of Sherman. It was recommended that Kelly Thorton be hired by the Town of Mina at a rate of \$15 per hour. Councilman Proctor made a motion, seconded by Councilman Watrous to hire Kelly Thorton at \$15 per hour effective immediately. Motion carried unanimously.
Ayes – 4 Brumagin, Burmaster, Proctor, Watrous
Nays – 0

Supervisor Brumagin stated that standardized enforcement procedures and an updated fee schedule for dog licensing need to be in place before enumeration services begin. She will be meeting with the other towns to develop a plan.

- Supervisor Brumagin reported that the Chautauqua County Snowmobile Club requested that the Town of Mina pass a resolution for it to purchase a new groomer.

TOWN OF MINA
Resolution #16-21

WHEREAS, the Chautauqua Lake Snowmobile Club is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Recreational Trails Program for a new piece of trail maintenance equipment (a brand new trail groomer) to be located in Findley Lake that will be used to maintain the trails in Findley Lake and the Towns of French Creek and Mina; and,

WHEREAS, a portion of the trails affected are within the territorial jurisdiction of the Chautauqua Lake Snowmobile Club; and,

WHEREAS, although it is not a requirement under the rules of the grant, the Chautauqua Lake Snowmobile Club has requested the approval/endorsement of the governing body of the municipality in which the project will be located; and,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Mina that the town board hereby approves and endorses the application of the Chautauqua Lake Snowmobile Club for a grant under the Recreational Trails Program for a trail project known as “New Groomer Project” which is located within this community.

Councilman Burmaster made a motion to accept the above resolution, seconded by Councilman Proctor. Motion carried unanimously.

Brumagin – Aye

Burmaster – Aye

Proctor – Aye

Watrous – Aye

- Supervisor Brumagin reported that New York State legislation has recently passed that hate symbols are not allowed on any government property including local municipalities in New York State. Hate symbols include confederate flags and neo-Nazi symbols.
- The county conducted a survey on building code enforcement and the county would like to move forward with a grant for a feasibility study. Councilman Watrous made a motion, seconded by Councilman Proctor for Supervisor Brumagin to submit a letter of support from the Town of Mina. Motion carried unanimously.
Ayes – 4 Brumagin, Burmaster, Proctor, Watrous
Nays – 0
- Upcoming Community Events – Saturday, July 31st is a triathlon in Findley Lake and Saturday, August 7th are the community yard sales.
- Upcoming Meetings – The next regular town board meeting will be held on Thursday, August 12, 2021.

Payment of Monthly Claims/Transfers:

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

Councilman Proctor moved, seconded by Councilman Burmaster, to pay the monthly claims. In the General Fund claim #139 through #164 in the amount of \$11,855.13 and in the Highway Fund claim #91H through #104H in the amount of \$152,746.77 were approved to pay. Motion carried unanimously.

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

Nays – 0

Other Business/Actions:

- Supervisor Brumagin complimented the recreation committee for the work they have done with the mulch, painting and replacing of swings on the playgrounds, planning the summer recreation program, and offering the soccer program again this year.
- As there was no further business to come before the Board, Councilman Proctor moved to adjourn the meeting at 8:59 p.m.

Respectfully submitted,

Sherrie Tanner, Town Clerk