

May 13, 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
Ernie Roache.....Councilman
Dick Watrous.....Councilman

Attended by: Julie Dobson, Christine Craffey, Bill Himelein (Highway Superintendent), Ed Mulkearn (Findley Lake Watershed Foundation & Sewer Workgroup), Judy Noble (7:06), David Ott, Terry Phelps, Sherri Schenk, Brian Sullivan, Bill Ward (Chautauqua County Legislator), Tad Wright (Town Attorney)

Minutes: Motion was made by Councilman Watrous and seconded by Councilman Proctor to accept the minutes of the April 8, 2021 meeting as presented. Motion carried.

Comments/Concerns from those present:

- David Ott reported that recently when he stepped out of his car in downtown Findley Lake that someone standing nearby blew marijuana smoke towards him. He felt that this was very disrespectful and is concerned if cannabis retail dispensaries are allowed in the Town of Mina that there will be ongoing issues.
- Ed Mulkearn reported that the lake is still not coming up to summer level as quickly as in past years. Repairs to the gate were made but lack of rain is affecting the lake level. He asked if businesses interested in selling marijuana have to obtain a license similar to businesses that sell alcohol. Supervisor Brumagin reported that interested parties have to apply through the state.
- Terry Phelps wondered if anything was being done with the house on Bailey Hill that has been condemned; he feels it is an eyesore to the town. He also asked about information on the town's website and noted a couple of corrections that are needed.
- Judy Noble was interested in any discussion on the selling of marijuana in the town and Supervisor Brumagin relayed that the options for towns in New York State to consider have been referred to the Mina Planning Board to research and make recommendations to the Town Board. They include the following:
 - Retail Dispensaries – time/place/manner allowed and rationale for recommendation
 - On-Site Consumption – time/place/manner allowed and rationale for recommendation
 - Where Individuals Can Smoke – place and rationale for recommendation
 - Personal Cultivation – consideration to reasonably regulate the actions and conduct of personal cultivation – rationale for recommendation.

Comments/Concerns from those not present: none

Reports:

- Sewer Workgroup – Supervisor Brumagin reported that the group has not met since the last town board meeting. She contacted Mary Chapel at Municipal Solutions who reported that there are a number of grant opportunities available. Ed Mulkearn reported that the Findley Lake Watershed Foundation will be mailing a letter to property owners with the results of the recent sewer survey. He also reported that Princeton Hydro, LLC will be engaged to conduct a study on the lake. It was also noted that 20-25 volunteers are needed for water well sampling.

Executive Session:

At 7:20 pm Councilman Proctor made a motion, seconded by Councilman Watrous, to adjourn to Executive Session to discuss real property matters with Attorney Wright. Motion carried. At 8:28 pm Councilman Proctor 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:
 - CDC recommends everyone 12 years of age and older receive the COVID-19 vaccination.
 - New York State:
 - Courts have reopened but residential evictions will not be processed until August 31, 2021.
 - The sales tax received for this quarter exceeded the amount budgeted.
 - Chautauqua County:
 - Vaccines administered as of 5/09/21: 1st dose 37,617 (45% of residents), 2nd dose 40,826 (31.5% of residents).
 - Statistics as of 05/09/2021: 152 total deaths; 7 currently hospitalized; 73 active cases; 9,075 total cases, 7-Day Average % positive 1.4%, CDC Level of Community Transmission for Chautauqua County – Substantial.

Old Business:

- Supervisor Brumagin reported that the highway department started painting the accessible parking spaces at the Community Center. Superintendent Himelein stated that they will be complete next week and then the highway department will paint the accessible spaces in front of the Post Office and the downtown area.
- USDA Rural Development – Supervisor Brumagin reported that all of the documents have been submitted for the bond resolution. Superintendent Himelein reported that the dump truck is expected to arrive at the dealership by 6/1/21. It will take 6-8 weeks to install the plow package and he anticipates that the town will take delivery in August. The tractor should arrive by the end of May.
- Findley Lake Volunteer Fire Department – The town board was informed that the fire department had two more EMTs resign but the department still has four EMTs and another one is waiting on transfer papers from Pennsylvania. Councilman Burmaster and Proctor have not started working on the strategic plan with the FLVFD board.
- Parking on Town Roads/Parking Enforcement – Supervisor Brumagin reported that she will speak with Attorney Wright on these concerns.
- Status of NY BRIDGE Grant – Supervisor Brumagin reported that an amendment to last month's resolution to add School Street needs to be considered. Additionally,

Superintendent Himelein reported that 15 engineering firms were contacted to assist with submission of the grant. Five firms responded and Greenman Pederson, Inc. (GPI) was selected to provide administrative support for the grant application to replace culverts on three town roads. Councilman Burmaster made a motion, seconded by Councilman Watrous to amend the Resolution to Submit Application for BRIDGE NY Funds and include Greenman Pederson, Inc. as the engineering firm to provide administrative consultation services. Motion carried unanimously.

Resolution to Submit Application for BRIDGE NY Funds
#14-21
May 13, 2021

WHEREAS, Governor Cuomo announced on January 25, 2021 \$200 Million in BRIDGE NY Funding Available to Build Resiliency in New York Communities, and

WHEREAS, The BRIDGE NY program, administered by the New York State Department of Transportation, is part of the State's historic \$306 billion infrastructure plan, and

WHEREAS, the new funding will allow localities to rehabilitate and replace bridges and culverts statewide, and

WHEREAS, these strategic infrastructure investments have enhanced the quality of life for residents and businesses in every region of the State and have provided unprecedented support for making New York's communities more resilient to the impacts of climate change, and

WHEREAS, the BRIDGE NY application is available to all municipalities authorized to receive and administer state and federal transportation funding, and

WHEREAS, the Town of Mina has identified culverts on three heavily traveled town roads that, for safety purposes, need to be replaced, one on Bailey Hill Road, one on West Mina Road and one on School Street, and

WHEREAS, the Town of Mina does not have adequate resources to replace the culverts without financial assistance, and

WHEREAS, the Town of Mina requires the assistance of an engineering firm to assist with the submission of the application for BRIDGE NY, and

WHEREAS, the Town of Mina engaged in a vetting and review process that involved 15 different engineering firms, and

WHEREAS, applications for BRIDGE NY funds are accepted through May 19, 2021 for culverts and June 9, 2021 for bridges,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Mina hereby approves the submission of a BRIDGE NY application for the replacement of culverts on Bailey Hill Road, West Mina Road, and School Street in the Town of Mina.

BE IT ALSO RESOLVED, that the Town Board of the Town of Mina hereby approves the engagement of Greenman Pedersen, Inc. as consultants to assist the town with preparation of the BRIDGE NY application.

Brumagin – Aye
Burmester – Aye
Proctor – Aye
Roache – Aye
Watrous – Aye

Correspondence:

- Charter Communications – Upcoming changes.
- Nathalie Morgen – Asking for information regarding gravel pit operations on Bailey Hill Road.
- Town of Mina Code Office – Notice of Public Hearing for an area variance on 2353 Shadyside Road.
- Empire State Development – Information on the Western New York Regional Economic Development Council announcing that Round 11 of the New York State Consolidated Funding is available and applications are being accepted online. Award announcements will be made in the fall.
- Lisa Smith – Communication on clearing up a ticket when her identity was stolen.
- Chautauqua County Snowmobile Club – Invitation to a “drive thru” style chicken BBQ on Saturday, May 22, 2021 in place of its annual appreciation party.
- NYS Ag & Markets – Municipal Shelter Inspection Report completed on 4/7/21 for the Chautauqua County Humane Society was deemed “Satisfactory”.
- NYS Department of State – Notifying the town that Local Law #1-21 was filed on April 19, 2021.
- The Erie Community Foundation – Informing the town that the Findley Lake Volunteer Fireman’s Association made a donation in the amount of \$5,000 to its fund.
- Chautauqua County Dept. of Finance – Information on the Town of Mina’s exit liability for worker’s compensation in the event that the town decides to contract with another entity for worker’s compensation coverage.
- Chautauqua County Board of Elections – Information on the Republican Primary Election to be held on June 22, 2021 from 6 am to 9 pm.
- Community Bank – Fees and service charge modifications.
- Bank of Green County – Information on helping municipalities with banking needs.
- All Out Disposal – Information on trash pick-up services.
- Dog Enumeration – Information on receiving a quote for dog enumeration services.
- Clymer Central School – 2021-2022 Budget Newsletter.

Reports:

- Highway Superintendent – Superintendent Himelein reported that CHIPS funding with rollover monies from last year will be approximately \$171,772 which is \$95,000 higher than budgeted. The highway crew has replaced a cross pipe and new distribution box on Shadyside Extension they replaced an old pipe and installed a new driveway pipe. They have also hauled 360 ton more stone than what had previously been hauled for chip sealing and have fully sealed West Mina Road and have bar patched Greenman, Shadyside, Ball Diamond and Hazen Roads.
- Recreation Committee – Supervisor Brumagin reported that a dedication ceremony for the School Street Park will be held on 8/14/21 and a new sign is being made. Wood

carpet for the Community Center playgrounds has been ordered. The children's summer program will be held this year with Wednesdays being held at the Community Center.

- Assessor – Heather Young-Deyell's report was handed out for April 2021. She reported that field review of all active building permits is on-going through April. Assessment change notices have been mailed to property owners with active building permits for new construction and demolition. The 2021 Tentative Assessment Roll was filed with the Chautauqua County Real Property Tax Office and a copy of the roll has been posted to the CAP 4 assessment webpage. Grievance Day for the Town of Mina will be held on Tuesday, May, 25, 2021 from 4:00-8:00 pm.
- Town Justice – Supervisor Brumagin reported that the resolution for a single justice for the towns of Clymer, French Creek, Mina and Sherman was submitted to the State Senate and received a bill number. However, the towns are waiting for the State Assembly to assign a bill number so that the towns can submit the supporting documentation that will allow the Senate and Assembly to move forward on the legislation.
- Planning Board – Supervisor Brumagin reported that the Planning Board is meeting this Monday and will be working on recommendations regarding solar farm/panels and will receive the referral for marijuana options that need to be considered by the town.
- Town Clerk/Tax Collector – The Town Clerk's report was distributed reporting the collection of fees and sales of \$3,075.00 for the month of April 2021. She has paid the Supervisor \$2,060.29, NYS Ag and Markets for dogs \$30.00, NYS Health Dept. for marriage licenses \$67.50 and NYS DEC \$917.21. She reported that there were approximately 86 unpaid county/town tax bills. She also reported that she paid the Town Supervisor for the fines and fees associated with tax collecting and she has now closed out this year's collection. A new computer has been ordered and is to be installed Friday, May 14, 2021.
- Code Enforcement – Melanie Eddy's report for April 2021 was distributed. Supervisor Brumagin stated that she is going to inform the CEO that additional activities need to be included in the monthly report. It was also reported that there have been a couple of flags flying in the Town of Mina with obscenities on them. The code enforcement officer has sent letters to the property owners informing them that they must be taken down.
- Supervisor – Supervisor Brumagin distributed the April 2021 financials. She reported that the annual report was filed with the state and is on file with the town clerk. She also distributed the 2021 fun maps prepared by downtown merchants and she pointed out the changes that were made to the town's information.

New Business:

- NYS Homes and Community Renewal (HCR) has announced the availability of Community Development Block Grant (CDBG) funding under the recently enacted federal CARES Act legislation to prevent, prepare for and respond to Coronavirus. Community Connections at Findley Lake is interested in working with the Town of Mina on a Senior Neighborhood Project with the purpose of developing infrastructure to support affordable house for seniors over the age of 60. A project consultation with the state will be requested. Supervisor Brumagin will ask representatives from Community Connections to attend the next town board meeting and present information on the Senior Neighborhood Project.
- Supervisor Brumagin reported that the Memorial Day parade will be canceled this year due to COVID-19 restrictions; however, there will be a brief program to honor local veterans at 10:00 a.m. at the gazebo downtown.
- Supervisor Brumagin reported that she and Superintendent Himelein have been working on a list for potential uses for The American Rescue Plan Act funds.

- Councilman Burmaster reported that he spoke with the County Health Department regarding grant monies from the New York State Septic System Replacement Fund. The program provides funding through the county to replace septic systems. Participating counties can provide grants to reimburse the property owner for up to 50% of the costs up to a maximum of \$10,000 of their eligible septic system project. He made a motion, seconded by Councilman Roache, to inform property owners within 250' of the lake about the grant money as the funding for Findley Lake ends in December 2022. Motion carried unanimously.
Approved: Ayes – 5 Brumagin, Burmaster, Proctor, Roache, Watrous
Nays – 0
- Upcoming Meetings – The next regular town board meeting will be held on Thursday, June 10, 2021.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers – The monthly claims were examined. Councilman Proctor moved, seconded by Councilman Watrous, to pay the monthly claims. In the General Fund claim #90 through #115 in the amount of \$14,863.63 and in the Highway Fund claim #56H through #74H in the amount of \$25,343.88 were approved to pay. Motion carried unanimously.
Approved: Ayes – 5 Brumagin, Burmaster, Proctor, Roache, Watrous
Nays – 0

Other Business/Actions:

- As there was no further business to come before the Board, Supervisor Brumagin moved to adjourn the meeting at 9:14 p.m.

Respectfully submitted,

Sherrie Tanner
Town Clerk