

June 10, 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: Bill Boria (Chaut. County Health Dept.), Julie Dobson, Christine Craffey, Larry Gross, Michelle Hall, Bill Himelein (Highway Superintendent), Lori Joukel, Nathalie Morgen, Kerry Mulkearn, Jeff Park (Findley Lake Volunteer Fire Dept. Board), Terry Phelps, Sherri Schenk, Brian Sullivan, Bill Ward (Chautauqua County Legislator)

**Minutes:** Motion was made by Councilman Watrous and seconded by Councilman Burmaster to accept the minutes of the May 13, 2021 meeting as presented. Motion carried.

**Comments/Concerns from those present:**

- Nathalie Morgen stated that the 30 mph speed limit on Sunnyside Road is not enforced and that traffic including dump trucks are going way over the posted speed limit. She asked the town board to look at contracting with the Chautauqua County Sheriff's Dept. on patrolling the road. She also asked if a monitor to check speed of a vehicle could be placed on Sunnyside Road. Her second concern is about the Beckerink Gravel Pit on Bailey Hill Road that has changed ownership. She is concerned that as a neighbor to the gravel pit she was not notified by the NYS DEC or the Town of Mina of the new owner's plans. They have recently installed a scale and scale house as well as gates and she has been told that the volume will be increasing substantially. She believes the increased activity will be loud, dirty, and busy and that it will impact the whole town. She has requested documentation from NYS Department of Environmental Conservation regarding results of the environmental quality review.
- Michelle Hall provided a handout on calcium chloride which the owners of the gravel pit stated they will be using to keep the dust down. She is concerned that calcium chloride will kill the fish in Findley Lake from any runoff. She is also concerned about the dust with the gravel pit being permitted for six days a week from 7 am to 6 pm. She would like the DEC to conduct a new environmental study including noise and traffic. She also expressed concern with the traffic speed around Sunnyside Road stating that she has put up signage to try to get traffic to slow down but feels in the past two years it has gotten worse. She would like an updated traffic study and would like to see more sheriff patrols around the lake.
- Sherri Schenk wondered if the town has received a donation from the triathlon event. Supervisor Brumagin reported that the first year the organizers made a donation to the town recreation program.
- Terry Phelps apologized publicly for some misinformation he shared privately with two of the councilmen.
- Larry Gross inquired if it would be possible to install a traffic light at the intersection of North Road and State Route 430. He also wondered when the town would provide an

update on a potential sewer district. Supervisor Brumagin reported that the Findley Lake Watershed Foundation is mailing out the results of a sewer survey it conducted and she will be discussing the town's next steps later in the agenda..

- Christine Craffey expressed concern about needing to do something to slow traffic down around the lake.
- Bill Ward brought greetings from the Chautauqua County Legislature. He stated that installing crosswalks might help with slowing down traffic.

#### **Comments/Concerns from those not present:**

- Councilman Proctor received a phone call inquiring as to what action the town is taking in regard to the political flags with obscenities on them. The code enforcement officer is working on zoning code enforcement with this issue.

#### **Septic Replacement Grants:**

- Bill Boria from the Chautauqua County Department of Health and Human Services (CCDOH) presented information on a grant opportunity for septic replacement. The County has been awarded \$150,000. The money is to be used for homes and small businesses within 250 feet of the lakeshore. The County is a pass through agency with funds from New York State to help owners upgrade their septic systems in an effort to improve lake quality. The County is able to set rules for the grant money and it has set 50% of the cost of the system or a maximum of \$7,500 per property owner. He announced applications will be available starting July 8, 2021 and can be downloaded from the CCDOH website or from the Town of Mina website. Funds will be available on a first come first serve basis and the septic system has to be installed by October 2022. At least 20-25 systems should be able to benefit from this grant and most replacement systems around the lake will require engineered systems. There are approximately 130 systems around the lake that are over 30 years old or have unpermitted septics. A press release will go out regarding the program.

#### **Novel Coronavirus (COVID-19) Pandemic:**

- Supervisor Brumagin reported the following in regard to the COVID-19 Pandemic:
  - Federal:
    - Supervisor Brumagin distributed a handout on the American Rescue Plan Act (ARPA) and reported that funds should be distributed to municipalities at the end of July or early August.
  - New York State:
    - Lottery for students who get vaccinated with winners receiving four years of college tuition/expenses completely paid for.
    - Town Courts – now at full activity except for evictions (the moratorium on evictions is until September 1<sup>st</sup> but paperwork can be filed).
  - Chautauqua County:
    - Recognized fourteenth week of COVID-19 Weekly Heroes with numbers 97-106 being recognized.
    - Vaccines administered as of 5/29/21: 1<sup>st</sup> dose 53,688 (48% of residents), 2<sup>nd</sup> dose 46,796 (37% of residents).
    - Statistics as of 06/07/2021: 156 total deaths; 4 currently hospitalized; 18 active cases; 9,271 total cases, 7-Day Average % positive .6%, CDC Level of Community Transmission for Chautauqua County – Moderate.

### **Old Business:**

- Supervisor Brumagin reported that she will be meeting with Justice Denis Cooper on building and zoning enforcement procedures and how the town can best present violations to the court.
- Supervisor Brumagin asked Councilman Burmaster and Highway Superintendent Himelein to meet with her regarding the replacement of the front doors and windows at the Community Center.
- Supervisor Brumagin reported she has been working on the 20+ year employee honor roll and has a preliminary list of over 20 people but needs to confirm their employment dates.
- USDA Rural Development – Supervisor Brumagin reported that they are waiting on the delivery of the tractor and the dump/plow truck.
- Findley Lake Volunteer Fire Department – Councilman Proctor reported he and Councilman Burmaster met with the FL Fire Dept. Board and fire chief on Wednesday night. The Fire Department would like the town to research establishing a fire district. An established plan and goals need to be in place before a fire district can be considered. The department plans to sell the mini pumper and buy another pumper/tanker. Jeff Park reported that the board is willing to meet and discuss any ideas to get more volunteer manpower. Very few towns have enough manpower to cover one fire. He reported that the county and state mandate 200 hours of training which most individuals find difficult to complete. The fly cars that the county put into place cover the larger population centers in north county and south county but do not cover our area. He reported they have received around \$20,000 in donations for the recent annual fund drive. They are currently down to 12 members in the fire department and would like to see the community educated on the benefits to the town of having the fire department.
- Supervisor Brumagin reported that she and representatives from Community Connections had a consultation call with a team from NY State regarding an upcoming Community Development Block Grant (CBDG). The project must address how the proposal is in response to COVID and the Senior Neighborhood Project being proposed does not clearly demonstrate that connection. They will be holding another discussion tomorrow with the state to discuss other potential funding opportunities. They also plan on meeting with representatives from Chautauqua Home Rehabilitation & Improvement Corp (CHRIC) regarding any assistance it might be able to provide on the project.

### **Correspondence:**

- Charter Communications – Upcoming changes.
- Chaut. County Dept. of Health & Human Services – NYSDEC septic system replacement fund program for Findley Lake question and answer information.
- Chaut. County Dept. of Health & Human Services – Water sample results at the Community Center “Satisfactory for Human Consumption”.
- Univera Healthcare – Notice of filing a request with NYS Dept. of Financial Services for an increase to the group premium rates for 2022 of 9.31%.
- Chautauqua County Real Property Tax Services – Certificate of Satisfaction of the Tax Warrant.
- NYS Assoc. of Tax Receivers & Collectors – Newsletter
- NYSDEC – DEC invites public comment about proposal to address contamination at Brownfield Site on Chandler Street in Jamestown.

## Reports:

- Highway/Cemetery Committee – Councilman Watrous reported since Memorial Day individuals have expressed appreciation to him about how well the cemetery has been kept up and he appreciates the highway crew assisting with the mowing.
- Highway Superintendent – Superintendent Himelein reported that BRIDGE NY applications have been submitted for West Mina and Bailey Hill Roads and School Street. The Town has been informed that the three applications for culvert replacement have made it through NYS DOT’s first round of review and the Town should be notified in August as to whether or not any of the applications will move to the next level of approval. Shadyside Extension has been paved and the shoulder has been applied. Chip sealing has been completed on West Mina, Camp, Shadyside, Ball Diamond and Hazen Roads. Roadside mowing has begun. Superintendent Himelein expressed his appreciation to the highway crews from the following towns for their help in completing the road projects this month; Sherman, Clymer, French Creek, Ripley, Harmony and North Harmony. He reported that the ten wheeler/plow truck was shipped from the factory on June 4, 2021 to the dealership. It will then go to Henderson for upfitting of the box and plow package. The tractor is waiting to be shipped. Also, he is working on the NYMIR recommendations.
- Recreation Committee – Supervisor Brumagin reported that the wood carpet for the playgrounds at the Community Center has been delivered and volunteers are working on spreading the mulch. The new timbers for the borders have been ordered. A baby swing and a sling swing have arrived. The Findley Lake Community Foundation approved a grant of \$3,000 to cover some of the cost of the playground upgrades. Also the Community Foundation donated four benches for the School Street Park outdoor courts. The School Street Park dedication is being planned for Saturday, August 14, 2021.
- Assessor – Heather Young-Deyell’s report was handed out for May 2021. She reported that Grievance Day was held on Tuesday, May 25, 2021 and one person petitioned the Board of Assessment Review (BAR) for a reduction in assessment. The 2021 Final Assessment Roll will be filed by July 1, 2021 and a legal notice will be published.
- Town Justice – Supervisor Brumagin reported that the paperwork from all four towns for a single justice has been submitted to Senator Borrello and Assemblyman Goodell’s offices. It needs to be passed by both houses and signed by Governor Cuomo by August 1, 2021 to be included on the ballot for this year’s election.
- Planning Board – Supervisor Brumagin reported that the Planning Board is meeting next week and plans on having recommendations for marijuana options that can be considered by the town board on or before the August Town Board Meeting.
- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$1,634.00 for the month of May 2021. She has paid the Supervisor \$1,074.81, NYS Ag and Markets for dogs \$10.00, NYS Health Dept. for marriage licenses \$90.00 and NYS DEC \$459.19. She reported that the new computer recently installed was defective and had to be replaced.
- Code Enforcement – Melanie Eddy’s report for May 2021 was distributed. The county has been assessing the possibility for shared services for building inspectors including a centralized housing court. This would not include zoning enforcement as zoning codes are unique to each municipality.
- Sewer District Workgroup – The committee is being discontinued as the issues will now be reviewed and discussed with the full town board. Supervisor Brumagin prepared a “Sewer Project Outline of Tasks” and reviewed.
- Supervisor – Supervisor Brumagin distributed the May 2021 financials and highlighted the certificates of deposits and cash balances.

## **New Business:**

- Supervisor Brumagin reported that the Town of Mina is at 99% for the Final Equalization Rate for CAP #4. The assessor did a full reassessment but because of a substantial increase in the housing market after she submitted the data to the state, the CAP is at 99% instead of 100%. The increase in sales resulting in a buyer's market is nationwide and is in response to COVID-19. Councilman Proctor made a motion, seconded by Councilman Burmaster, to approve the bonus for the assessor. Motion carried unanimously.  
Ayes – 4 Brumagin, Burmaster, Proctor, Watrous  
Nays – 0
- Supervisor Brumagin reported on a derelict structures addendum to the County Shared Services Agreement. Each participating town in the Shared Highway Services Construction & Demolition (C&D) receives an annual credit of eighty (80) tons of free C&D waste at the County Landfill not including transporting or demolition. In this program, the town can borrow credits or lend them to/from other municipalities. Councilman Proctor made a motion, seconded by Councilman Watrous to enter into the Shared Highway Services – C&D Waste Addendum. Motion carried unanimously.  
Brumagin – Aye  
Burmaster – Aye  
Proctor – Aye  
Watrous – Aye
- On the traffic concerns raised earlier in the meeting, Supervisor Brumagin reported that she spoke with the Chautauqua County Sheriff's Department regarding the town's agreement for court security and that the agreement cannot be modified to handle services outside of court security. To enter into a separate contract for police protection would take a couple of months as it is a process that requires county legislative approval. The sheriff's department is willing to temporarily place a speed trailer around the lake. As far as moving traffic from NYS Route 426 to Chautauqua County Touring Route 1 (Mann Road) there is a 6-ton axle weight limit on Mann Road. Highway Superintendent Himelein reported that a change would need to be worked out between Chautauqua County and NYS Department of Transportation.
- Supervisor Brumagin provided information on the gravel pit on Bailey Hill Road and stated that notification by New York State on the change in ownership was received by the Town in May of 2020. The updated permit was issued to Advent Gravel with Girts as the operator. The original permit was issued in 1992 and was updated in 2016. Since the gravel pit is permitted by NYS Department of Environmental Conservation, the Town has no jurisdiction or authority over its operations.
- Upcoming Community Events – July 3<sup>rd</sup> the Findley Lake Nature Center will host a five mile walk/run fundraiser around the lake. July 4<sup>th</sup> activities include the Fire Department holding the annual chicken barbeque, the annual duck race organized by downtown merchants, and fireworks arranged by Matt Hanby from Matters of the Hearth.
- A request for parking during HarvestFest was made by Larry Gross from Our Own Candle Company. Superintendent Himelein said he will look into how many vehicles can be parked at the highway barn without blocking the overhead doors and the garbage dropoff.
- Upcoming Meetings – The next regular town board meeting will be held on Thursday, July 8, 2021.

## **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. In the General Fund claim #116 through #138 in the amount of \$14,814.61 and in the Highway Fund claim #75H through #90H in the amount of \$122,311.98 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 9:22 p.m.

Respectfully submitted,

Sherrie Tanner  
Town Clerk