

October 28, 2021

The Mina Town Board met on the above date for a special meeting. Supervisor Brumagin called the meeting to order at 7:00 pm. 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 Himelein (Highway Superintendent),

Supervisor Brumagin asked the town clerk to read the published legal notice that stated the budget work session for the 2022 budget would be held on Thursday October 28, 2021 at 7:00 pm. Supervisor Brumagin then stated that this was a special meeting to review the 2022 tentative budget and to hold a Public Hearing on Local Law #2-2021 to Override the Tax Cap.

**Public Comment on Agenda Items:** none

Supervisor Brumagin opened the Public Hearing on Local Law #2-2021 to Override the Tax Cap at 7:03 pm. There were no comments or questions presented; at 7:04 pm Supervisor Brumagin closed the Public Hearing. Councilman Watrous made a motion, seconded by Councilman Burmaster to approve the law as written.

## **LOCAL LAW NUMBER 2 OF 2021**

### **Town of Mina, County of Chautauqua, State of New York**

A local law to override the tax levy limit established in General Municipal Law §3-c

#### **Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Mina, County of Chautauqua, pursuant to General Municipal Law §3-c, and to allow the Town of Mina, County of Chautauqua, to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

The Town of Mina is dependent upon the real property tax to fund town services and does not have the authority to raise sales taxes, occupancy taxes, gross receipts taxes, or income taxes. Non property tax revenues, sales taxes, and State AIM payments are subject to market fluctuations and the ability of federal, state, and county governments to share revenue with the Town of Mina, both of which factors have been or will continue to be affected by the COVID-19 pandemic. The Town of Mina also has a need to adequately fund the highway department for ongoing equipment needs and to increase the contract for fire protection and emergency services.

**Section 2. Authority**

This local law is adopted pursuant subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

**Section 3. Tax Levy Limit Override**

The Town Board of the Town of Mina, County of Chautauqua is hereby authorized to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

Motion carried unanimously.

Brumagin – Aye

Burmester – Aye

Proctor – Aye

Watrous – Aye

**Budget Work Session:**

- Supervisor Brumagin reviewed the Tentative Budget for 2022. Discussion was held on the different budget requests that were submitted to the Supervisor. She reviewed each line item and explained any changes that were proposed from the previous year. The town's taxable roll for the year 2022 is \$163,983,495 (an increase in the taxable value of the town of \$1,990,631) with the tentative amount to be raised for the general and highway funds of \$492,233 (\$138,808 for general and \$353,425 for highway). The tax rate on the tentative budget is \$3.00 per \$1,000 of assessed value or a 9.1% increase in the General and Highway tax rate. The tax rate including the fire district and light district is \$3.54 or an 11.3 % increase. These rates include a \$25,000 unexpended balance for the general fund and a \$10,000 unexpended balance for the highway fund. Councilman Proctor made a motion, seconded by Councilman Watrous to accept the 2022 tentative budget as the 2022 preliminary budget. Motion carried unanimously.

Ayes – 4 Brumagin, Burmaster, Proctor, Watrous

Nays – 0

Consensus of the board was that each non-profit that the town financially supports have a current strategic plan on file with the town before the Town releases any funds for the organization. The board also expects that the non-profit's annual meeting be open to the public.

**Other Business/Actions:**

- Supervisor Brumagin reported that the moratorium on solar has expired. She asked the town board members to review the information the Planning Board researched and submitted at the October 14, 2021. Supervisor Brumagin would like the board to make a decision on solar at the November board meeting..
- Dates for upcoming meetings are as follows: Thursday, November 11, 2021 regular board meeting and Public Hearing on Preliminary Budget at 7:00 pm, Presentations by Engineering Firms Tuesday, November 23, 2021 starting at 9 am and Regular Board Meeting Thursday, December 9, 2021 at 7 pm.
- As there was no further business to come before the board, Councilman Burmaster moved to adjourn the meeting at 8:54 p.m.

Respectfully submitted,

Sherrie R. Tanner  
Town Clerk