

December 8, 2022

The Mina Town Board met on the above date for the regular monthly 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
Brian Sullivan.....Councilman
Dick Watrous.....Councilman

Absent: Ernie Roache.....Councilman

Attended by: Steve Bishop (Project Manager Findley Lake Community Foundation), Kim Freund, Kristine Gleason (Planning Board Chair), Ed Mulkearn (Findley Lake Watershed Foundation), Marty Proctor (Chautauqua County Legislator, 7:11 pm), Jo-Ann Travis (Planning Board)

Minutes: Motion was made by Councilman Watrous, and seconded by Councilman Burmaster, to accept the minutes of the November 10, 2022 Regular Meeting. Motion carried unanimously.

Public Comment re: Agenda Items (Citizens Present and not Present):

- Ed Mulkearn reported that Faith Kindig, Consultant for Second Harvest Food Bank was unable to attend tonight's meeting to report on a new business venture being considered for Findley Lake at the I-86 Interchange. She will plan on presenting information to the Town Board at the January 7, 2023 meeting.

Presentation on CCPEG Grant Opportunity:

- Supervisor Brumagin introduced Steve Bishop, Project manager for the Findley Lake Community Foundation, to present information on a grant opportunity by (CCPEG) Chautauqua County Partnership for Economic Growth. He gave the Town Board an overview of his background working in Corry and starting a community development nonprofit organization called Impact Corry as well as currently functioning as Project Manager for the Union City Community Foundation. The three things he will be focusing on in Findley Lake/Mina are:
 1. Engaging with the Town of Mina,
 2. Working with the Findley Lake Community Foundation, and
 3. Assisting with a new community development non-profit (Findley Lake Forward).He distributed a hand-out about a grant for a downtown enhancement plan that was submitted to CCPEG and asked the Town Board if they had any questions of him. Councilman Sullivan asked where future funding would be coming from to implement community development initiatives. Steve Bishop explained that the first step is to have an agreed upon plan and then when grants and other funding opportunities become available, they can be pursued.

Old Business:

- Supervisor Brumagin reported that Superintendent Himelein is working with an adjacent property owner on the potential to secure additional land for the highway garage and fire station building.

- Supervisor Brumagin reported that a letter to property owners will be sent out with follow-up information about the status of the proposed sewer district.
- Supervisor Brumagin reported that the proposed solar law was sent to the Chautauqua County Planning Board for review. Attorney Joe Calamari suggested that the Town of Mina be the lead agency on the State Environmental Quality Review (SEQR) application and he will prepare a completed SEQR application for the January meeting.
- Supervisor Brumagin reported that the Town is waiting on a decision by DEC on the three grant applications that were submitted in July.
- Supervisor Brumagin reported that the Fire Station Marketing Contract and the County Occupancy Grant have been finalized for a total funding from the County of \$18,000. The Town cash match is \$5,000 for a total project of \$23,000.
- E2i (Buffalo Solar) Tanner Road solar project was discussed. The solar company is working on the contingency requirements by the Town and asked if the proposed location on the property and the size are acceptable. The total acreage is 93.76 acres and the size of the project would be 1.92 acres. Councilman Sullivan made a motion, seconded by Councilman Burmaster, to approve the project's proposed location and size. Motion carried unanimously.

Ayes – 4 Brumagin, Burmaster, Sullivan, Watrous

Nays – 0

It was noted that additional conditions required of the developer still need to be completed.

- As a follow-up to a general concern about private individuals across New York State attempting to access spaces with confidential information in municipalities, Supervisor Brumagin reported that Town of Mina areas that the public will not be able to access or record are being identified and a formal resolution will be presented to the Town Board at a future meeting.
- Supervisor Brumagin discussed health insurance options for 2023. Superintendent Himelein is recommending that the Town stay with the same option as last year, Univera Standard Gold. Councilman Watrous made a motion, seconded by Councilman Burmaster, to continue with the health care coverage Univera Standard Gold. Motion carried unanimously.

Ayes – 4 Brumagin, Burmaster, Sullivan, Watrous

Nays – 0

Correspondence:

- Charter Communications – Upcoming changes to its network.
- Association of Towns – Information on the Association's Training School and Annual Meeting, February 19-22, 2023.
- NYSDOT – Announcing the availability of funding and key aspects of the Bridge NY program.
- Chautauqua County Dept. of Planning & Development – Public Notice and flyer regarding the annual Chautauqua County Agricultural District Inclusion Period.
- NationalGrid – Information on system improvement project installing advanced metering technology across upstate New York. Information on First Responder Utility Safety.
- State of NY Dept. of State – Town of Mina, Local Law #2-2022: To Override The Tax Levy Limit, filed on 11/22/2022.
- Highmark Western New York – Information on enrolling in 2023 Medicare plan.
- ECCA Payroll – Information on additional capabilities for its services.

Reports:

- Highway Superintendent – Superintendent Himelein's report was included in the board packet. He reported that the holiday decorations have been installed on the light poles. So far in the 2022-2023 season, the Town of Mina has received 28 ½" of snow. Summer equipment has been cleaned and put away for the season. Several trees and branches were removed from roads from wind storms. Routine equipment maintenance is being performed on equipment in the shop.
- Assessor – The assessor's report for November was included in the town board packet. She reported that the land valuation documents are complete, printed and being reviewed. Residential modeling and cost documents are being created. The database has been sent to Chautauqua County Real Property Tax for processing and creation of Town/County bills. Once given the formal approval and new amounts from Chautauqua County Real Property Tax, the assessor will implement those changes to the assessment roll. Field review of residential market documents will begin once they have been printed. Legislation has passed at the County level to increase the amount of veterans' exemptions. Supervisor Brumagin asked County Legislator Proctor if the exemption passed by the Chautauqua County Legislature is for the County only or if it also covers towns. County Legislator Proctor said he would check on that and get back to her.
- Planning Board – Supervisor Brumagin reported that the draft community survey summary is now on the Town's website. Kris Gleason reported that a draft of the cannabis business zoning matrix was presented at the Planning Board's meeting and there are a couple of minor changes being made and it should be ready to be submitted to the Town Board for the January meeting.
- Community Center – Supervisor Brumagin reported that the gym has two roof leaks and after the winter season the roof will need repair work. Councilman Burmaster mentioned that it might be possible to patch it yet this year before we get more snow.
- Town Clerk/Tax Collector – The Town Clerk's report was included in the board packet reporting the collection of fees and sales of \$4,068.25 for the month of November 2022. She paid the Supervisor \$761.46, NYS Ag and Markets for dogs \$57.00, and NYS DEC \$3,249.79. She reported that she received an email from Town Assessor Heather Young-Deyell stating that the County is requiring that apportionments need to be requested by the property owner or their attorney before being done. She also reported that she and deputy clerk, Audrey Sliker, attended a training at Southern Tier West on laserfische for digitizing records.
- CEO/Building Inspector – Melanie Eddy's report for the month of November 2022 was included in the board packet. She reported that she is working on several projects.
- Regulations Enforcement Officer – Supervisor Brumagin reported that Tom McNinch will be starting his position soon and a laptop for him has been ordered.
- Supervisor – Supervisor Brumagin reviewed the November 2022 financials that were included in the Town Board packet. She reported that the new money market account has been set up.
- Community Improvement Initiatives – Supervisor Brumagin listed three community projects that are underway;
 - 1 – Formation of Lake Quality Workgroup,
 - 2 – Findley Lake Forward, Inc., a new nonprofit to focus on community/economic development, and
 - 3 – Government communications, with Robin Gross working on a database and a Newsletter for the Findley Lake Community Foundation and the Town of Mina.
- Historian & Historical Society – Supervisor Brumagin reported that the log cabin reconstruction committee met and the quotes for rebuilding the cabin were higher than

anticipated; they were in the \$200,000 range. The group has decided to continue moving forward with the project as the log cabin would be an enhancement to the downtown area.

Community Updates:

- Findley Lake Volunteer Fire Department – Supervisor Brumagin reported that the FLVFD contacted her in regard to the Town Attorney reviewing a contract for the fire department to partner with the County for EMS billing. The consensus of the Town Board was to allow the Town Attorney to review the contract on behalf of the fire department.
- Findley Lake Watershed Foundation – Ed Mulkearn reported that the State worked on the gate and thanked the Mina Town Highway Dept. for help with fixing the seal on the gate. They are looking for individuals or companies to adopt the “Welcome to Findley Lake” signs to keep them looking nice. Also wanted to thank the Mina Highway Department for installing the “Entering the Findley Lake Watershed” signs. He reported that sand bags are still in the lake from the work that was done and they need to remove them and restore the lake to normal winter level. He stated that many people have contacted him on the status of the sewer district formation and he feels it needs to move forward and be put to a vote so property owners can vote on if they want it or not.

New Business:

- Supervisor Brumagin distributed a handout showing a picture of an educational sign for the buffer garden by the lakeside flag pole. Discussion was held on determining if the sign should be exempt from the current zoning law as it could be considered a public sign. Councilman Burmaster made a motion, seconded by Councilman Watrous, to have the educational sign on the buffer garden be considered a public sign and therefore be exempt from requiring a special use permit under the zoning law. Motion carried unanimously.
Ayes – 4 Brumagin, Burmaster, Sullivan, Roache
Nays – 0
- Supervisor Brumagin reported that the County Planning Board requires the completion of a SEQR (State Environmental Quality Review) to accompany the proposed Solar Systems Regulations Law that was submitted to the County for its review and feedback.

**Resolution to Designate Town of Mina as Lead Agency
State Environmental Quality Review (SEQR)
Town of Mina Solar Energy Systems Regulations
Resolution #25-22**

WHEREAS, the Town of Mina has prepared a proposed local law for Solar Energy Systems Regulations and has held a public hearing regarding the proposed law, and

WHEREAS, the Town of Mina is responsible for ensuring that a State Environmental Quality Review (SEQR) is conducted to accompany the local law, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Mina hereby approves the designation of the Town of Mina as the lead agency for preparing the SEQR application.

Councilman Watrous made a motion, seconded by Councilman Burmaster, to adopt Resolution #25-22 declaring The Town of Mina as lead agency on the SEQR for the Solar Systems Regulations Law. Motion carried unanimously.

Brumagin – Aye

Burmaster – Aye

Sullivan – Aye

Watrous – Aye

- Supervisor Brumagin reported that she received an email about an article published in the Jamestown Post Journal regarding a group “auditing” the Town of Hanover’s website. In the audit it was noted that municipalities that maintain a website with high-speed internet are to have draft minutes from various boards posted to the website within two weeks. She noted that very few local municipalities have been complying with this requirement. The Mina Town Clerk, Planning Board, and Zoning Board of Appeals will post minutes in the two-week time, when feasible.
- Supervisor Brumagin reported that NYS has updated its Building Code Law and that the Town of Mina needs to hold a Public Hearing to adopt the provisions of that law. Councilman Sullivan made a motion, seconded by Councilman Watrous, for the Town to move forward with holding a Public Hearing on Local Law #1-2023: NYS Uniform Fire Prevention and Building Code. Motion carried unanimously.

Brumagin – Aye

Burmaster – Aye

Sullivan – Aye

Watrous – Aye

Proposed Local Law #1-2023 NYS Uniform Fire Prevention and Building Code

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this local law.

This local law supersedes Local Law #1 of 2000.

The full text of the proposed law is posted on the Town’s official bulletin board at the Mina-Findley Lake Community Center and the Town of Mina website.

- Supervisor Brumagin reported that the Chautauqua County Partnership for Economic Growth (CCPEG) \$31,320 grant as described by Steve Bishop requires that the Town of Mina adopt a resolution that the Town submit the application and will provide a cash match of \$3,320. Councilman Watrous made a motion, seconded by Councilman Burmaster, to accept the following Resolution #26-22.

Brumagin – Aye

Burmaster – Aye

Sullivan – Aye

Watrous – Aye

**Resolution to Submit Grant Application for
Findley Lake Downtown Revitalization
Resolution #26-22**

WHEREAS, the Chautauqua County Partnership for Economic Growth (CCPEG) has recently announced support for Economic Development Projects for 2023, and

WHEREAS, CCPEG will offer resources for select projects identified to have potential for transformational county-wide impact, and

WHEREAS, support could include technical assistance, match requirements for local, state or federal grants being used for projects that align with the Chautauqua County Economic Development Strategic Plan, or other projects that enhance or leverage previous investment in economic development within Chautauqua County, and

WHEREAS, grant awards are typically between \$10,000 and \$20,000 but requests up to \$50,000 will be considered, and

WHEREAS, municipalities are eligible to apply for these funds, and

WHEREAS, the economy of Findley Lake, in the Town of Mina, is built on tourism drawn largely from Pennsylvania, Ohio and New York and as the Southern Tier Gateway to Chautauqua County (and New York State), Findley Lake also enhances one of Chautauqua County's largest multi-season employers in nearby Peek'n Peak Resort, and

WHEREAS, two elements are critical to driving and sustaining that tourism – the lake itself, and the locally zoned Historic Business District on Main Street, and

WHEREAS, requested funds from CCPEG as well as local funds will be used to create a conceptual plan to physically transform the Historic Business District, creating an environment that will help current businesses flourish, attract new business, and help secure the future of the community and the significant tourism and property tax dollars it generates, and

WHEREAS, the requested funds will be used to hire an architect who will work with the community to create a conceptual design for the business district including "street scaping" and façade improvements, and

WHEREAS, the outcome/deliverables of this project are conceptual renderings and narrative recommendations that identify specific "project elements," that the community can in turn assign costs to and implement as funding is identified and acquired, and

WHEREAS, the creation of a downtown revitalization plan will also provide an important injection of capital into an area in which small retailers for too long have been left to their own devices, and

WHEREAS, the Town of Mina is currently engaged in updating its Comprehensive Plan and the plan identified "Small Business Development" as one of its three core areas of concentration, and

WHEREAS, the Findley Lake Community Foundation has contacted a multi-generational seasonal resident of Findley Lake, architect Brett Ligo, who has provided a detailed scope of work and a list of desired “deliverables” including”:

- Conceptual renderings,
- A narrative of observable improvements by street address,
- A map of the project area identifying the streetscape improvements,
- A list of recommended streetscape items from which costs can be derived, and
- A suggested project order, and

WHEREAS, the proposed cost of those services as estimated by Ligo Architects is \$31,320, and

WHEREAS, the Town Board of the Town of Mina has been willing to provide a cash match on grant proposals that are deemed important to the future development and enhancement of the community, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Mina hereby approves the submission of a Chautauqua County Partnership for Economic Growth Economic Development Project Grant for 2023, and

BE IT ALSO RESOLVED, that the Town Board of the Town of Mina commits to supporting the project including a cash match of up to \$3,320 which is approximately a 10% match if the full grant is approved.

Councilman Watrous made a motion, seconded by Councilman Burmaster, to accept Resolution #26-22. Motion carried unanimously.

Brumagin – Aye

Burmaster – Aye

Sullivan – Aye

Watrous – Aye

- Supervisor Brumagin reported that she reviewed the City of Erie’s Adopt-A-Park Program and that she is recommending that the Town of Mina implement a program that includes parks and other various public spaces in the Town. She will further develop the concept that she is calling “Stewardship Stars” and will present it to the Town Board at a future meeting. She explained how individuals could “adopt” or volunteer to care for public spaces and that small signage would be placed near that location with the names of individuals or businesses who sponsor or volunteer to maintain the space.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers: The November monthly claims were examined. Councilman Burmaster moved, seconded by Councilman Sullivan, to pay the monthly claims in the General Fund claim #282 through #310 in the amount of \$35,518.29 and in the Highway Fund claim #147H through #162H in the amount of \$32,526.34. Motion carried unanimously.

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

Nays – 0

Other Business/Actions:

Upcoming Meetings: End of Year Meeting will be held on Thursday, December 29, 2022 at 7 pm; the Organizational/Regular Meeting will be held Saturday, January 7, 2023 at 9 a.m.; and the Regular Meeting for February will be held Thursday February 16, 2023 at 7 pm.

Public Comment (Citizens Present and Citizens Not Present):

- Councilman Burmaster reported he saw a digital radar speed sign when he traveled to New York City recently and was trying to get more information on the sign. He will also check to see if there are any grants available to help the Town purchase one.
- County Legislator Marty Proctor asked about the presentation on a potential food distribution center that was to be presented by Faith Kindig a consultant with the Second Harvest Food Bank in Erie.

Adjournment:

- As there was no further business to come before the Board, Councilman Watrous moved to adjourn the meeting at 8:55 p.m.

Respectfully submitted,

Sherrie Tanner
Town Clerk