

March 10, 2022

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
Brian Sullivan.....Councilman

Absent: Ernie Roache.....Councilman
Dick Watrous.....Councilman

Attended by: Christine Craffey, Melissa Gibbons (FLVFD Board), Bill Himelein (Highway Superintendent), Steve Linton (Clymer Fire Dept.), Brian McCue, Ed Mulkearn (FL Watershed Foundation), Tom Pakulski, Marty Proctor (Chautauqua County Legislator), Nancy Roche, Trevor Stohr

Minutes: Motion was made by Councilman Burmaster and seconded by Councilman Sullivan to accept the minutes of the February 10, 2022 meeting as presented. Motion carried.

Public Hearing:

Supervisor Brumagin opened the Public Hearing by asking the clerk to read the legal notice on Local Law #2-2022: No Parking on any Town Road Between November 1 and April 1 with the exception of Woodland Shores Road and Woodland Shores Extension. She informed the public that a local law is already on the books for no parking on town roads between November 1 and April 1 from midnight to 7 am. Local law #2-2022 would not allow parking at any time of day or night. Supervisor Brumagin then asked for public input. The only question that was asked was how violations by individuals parking on the roads will be enforced. She informed them that the County Sheriff's office could be called and the town will supply blank tickets for the sheriff deputies. The public hearing on local law #2-2022 was closed at 7:10 pm.

Supervisor Brumagin opened the Public Hearing by asking the clerk to read the legal notice on Local Law #1-2022: No Parking on Woodland Shores Road and Woodland Shores Extension. She then opened it up for public input. Superintendent Himelein reported that it is difficult to plow with vehicles parked on both sides of the road and also emergency vehicles can't get through to some of the homes year-round. He also explained that when NYMIR, the town's insurance carrier, was contacted in response to a citizen request regarding the speed limit around the lake, NYMIR recommended that stop signs be erected, one on each end of Woodland Shores Extension, one where Woodland Shores meets Shadyside Road and one at Eighth Avenue. The Woodland Shores neighbors asked if parking on one side of the road could be an option. One of the neighbors stated that on one occasion that an ambulance was able to access the property that had an emergency situation on the 4th of July. Supervisor Brumagin read a letter from Matt Oehlbeck, Fire Chief for Stanley Hose in Sherman stating he is in support of the Town of Mina's attempt to relieve the congestion on Woodland Shores. Steve Linton of the Clymer Fire Department explained how emergency vehicles need to be able to access both lanes of both of the roads as they need to set up a temporary pond for the tanker trucks to unload in the event of a fire. Nancy Roche stated she would be willing to give up property at the triangle for people to be able to park. Supervisor Brumagin explained that the property lines would need to be determined as to what is owned by whom before that could be done. Ed Mulkearn wondered if

the town would be willing to abandon Woodland Shores Extension for people to be able to park on and was told that abandoning the road is not an option. Supervisor Brumagin shared that she does not plan on asking the Town Board to act on either local law tonight and for the neighborhood group to present in writing any ideas for parking to the Town Board that would meet safety standards and would get vehicles off the road. Dry hydrants were also asked about and will be referred to the Findley Lake Volunteer Fire Department. Superintendent Himelein asked Melissa Gibbons if she thought the Findley Lake Fire Department could conduct a drill some Tuesday evening when the residents would be there to see how much room emergency vehicles need to be able to answer a call. She thought that they could work that out. The public hearing on Local Law #1-2022 was closed at 7:58 pm.

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

- Ed Mulkearn reported that the Findley Lake Watershed Foundation Board voted that they do not want to erect the historical society's log cabin on its property near the west side of the gazebo. He shared that it might be possible to construct the structure on its property on Pleasant Street and that, if necessary, a possible wetland replacement might be able to be worked out with NYSDEC. Supervisor Brumagin discussed the joint study proposal on construction of the log structure that she drafted for the Town of Mina, the Findley Lake & Mina Historical Society and the Findley Lake Watershed Foundation. The proposed study was included in the board packet.

Novel Coronavirus (COVID-19) Pandemic:

- Supervisor Brumagin stated that since the county will no longer be reporting weekly COVID-19 statistics she will not include this topic on future agendas. She reported the following in regard to the COVID-19 Pandemic:
 - Federal – The Town must submit a report to the federal government on the use of ARPA monies by April 30, 2022.
 - New York State – Mask mandate for schools lifted 3/2/22.
 - Chautauqua County – Statistics as of 3/05/22 no longer reporting weekly COVID case numbers, statistic as of 3/1/22: 139 active cases, 8 hospitalized, total deaths 323, vaccine: 1st dose (65.4% of eligible residents), fully vaccinated (58.5% of residents). CDC Level of Community Transmission for Chautauqua County – Medium.

Reports:

- Highway Superintendent – Superintendent Himelein reported that there has been a total of 140" of snow this season. There were three trees that fell down and took out the power lines on Parsonage Road. The majority of the large debris has been removed and once the snow has melted they will finish rough clean up. The fuel pump system for the town barn has been ordered. The highway crew has started the first pass of sweeping anti-skid to the shoulder of the roads. He has consulted with Clymer, Findley Lake and Sherman Fire Departments about parking issues on highways in Findley Lake and French Creek. As soon as the weather breaks, the crew will continue with drainage on Shadyside between Ball Diamond and Parsonage Roads. The Bridge NY culvert replacement grant is moving forward for Bailey Hill Road; the work is being planned for 2024. Paving and chip sealing projects will be determined later based on rising fuel costs.

Old Business:

- Supervisor Brumagin reported that she has referred the recommendations from the Planning Board regarding solar law to the town's attorney. An attorney from Wright & Calimeri will attend the April meeting to discuss with the Town Board. An extension on the moratorium may be needed as it expires at the end of May 2022.
- Supervisor Brumagin drafted a study proposal on the facility needs of both the highway department and the Findley Lake Volunteer Fire Department and plans for the town and fire department to work collaboratively.
- Supervisor Brumagin reported that a Bridge NY Grant get start meeting was held on 3/4/22 with GPI engineers and NYS DOT. The details of the project including timelines were laid out.
- Supervisor Brumagin reported that the sewerage committee met with the engineer on 3/10/22 and focused on EDUs (Equivalent Dwelling Units) for various types of dwellings, buildings and structures. The group will meet again to formulate a recommendation on EDUs for the Town Board to consider. Also, the town needs to start the process to engage an attorney that specializes in sewer district formation.
- Supervisor Brumagin reported that the Town of Mina has the possibility of receiving stormwater management grant money due to impaired lake status and that a grant will be submitted once the state opens up the application process.

Correspondence:

- Matt Oehlbeck – Fire Chief Stanley Hose Fire Department – letter of support for the Town of Mina's attempt to relieve traffic congestion at Woodland Shores.
- Consolidated Communications – Information for residential and business customers regarding the National Do Not Call Registry.
- Spectrum – Information on internet and business voice.
- Charter Communications – Upcoming changes to its network.
- Chautauqua County Dept. of Planning & Development – Notice of Agricultural District Review.
- United States Bankruptcy Court – In regard to Chapter 11 for Boy Scouts of America.
- NYS Building Standards & Codes – Uniform code administration and enforcement report for 2021.
- Chaut. County Dept. of Planning & Development – Chautauqua Planning Newsletter.
- Julie Schmidt from Senator George Borrello's office – In regard to informational sessions for ESD (Emergency Services District).

Reports:

- Recreation Committee – Supervisor Brumagin reported that the dedication of the School Street Park will be planned for this spring.
- Assessor – The assessor's report for February was included in the Town Board packet. She reported that the exemption renewal deadline passed on March 1, 2022. Inspections of all new construction and demolition will begin in March and continue through April as needed. Assessment change notices will be mailed around May 1 to all property owners that have an assessment change for the 2022 assessment roll.
- Planning Board – Supervisor Brumagin reported that the group is continuing to work on the comprehensive plan with the assistance of consultant Don McCord. The Planning Board recommends that retail cannabis dispensaries be allowed in the commercial business district only. Councilman Burmaster reported that the State Office of Cannabis Management board held a meeting at 1:00 pm on 3/10/22.

- Town Clerk/Tax Collector – The Town Clerk’s report was distributed reporting the collection of fees and sales of \$380.00 for the month of February 2022. She has paid the Supervisor \$272.13, NYS Ag and Markets for dogs \$37.00, and NYS DEC \$70.87. She reported that she is now able to have the incoming calls to the phone in the cafeteria transferred to the clerk’s office phone.
- Findley Lake Watershed Foundation – Ed Mulkearn reported that they have a board meeting coming up in two weeks and he will have a draft strategic plan to review with the board. He is hoping they will be able to fix the seal on the bottom of the gate this Friday and are hoping the ice will be off the lake in two weeks.
- Findley Lake Volunteer Fire Department – Supervisor Brumagin reported that the Findley Lake Volunteer Department Board has reviewed its budget and past operating results and is recommending that \$20,000 be put into the capital reserve fund from the town’s 2022 contract.
- CEO/Building Inspector – Melanie Eddy’s report for the month of February 2022 was distributed. The town received notice that the Uniform Code Administration and Enforcement Report for the year 2021 was submitted.
- Supervisor – Supervisor Brumagin reviewed the January through February 2022 financials that were included in the town board packet. She reported that the annual report is balanced and once it is determined how to record the highway fund’s negative balance, the report will be submitted to the state. She reported that the Association of Towns annual meeting was held virtually and she is able to view any of the sessions for up to 30 days after the conference was held. She also reported that she has now begun to post updates on the town’s website.

New Business:

- Supervisor Brumagin reported that the Planning Board’s recommendation for the cannabis retail dispensaries is to allow them only in the commercial business district.
- Supervisor Brumagin asked the town board to review Resolution #13-22 regarding Bridge NY Engineering Consulting Services. Councilman Burmaster made a motion, seconded by Councilman Sullivan to accept the following resolution:

Town of Mina
Board Resolution #13-22
Bridge NY Engineering Consulting Services
Agreement between Owner and Engineer for Professional Services
Dated: March 10, 2022

WHEREAS, the Town of Mina issued a request for proposals from 15 engineering firms for the purpose of assisting the Town with applying for a Bridge NY grant for three culvert replacement projects including Bailey Hill Road, School Street and West Mina Road, and;

WHEREAS, four engineering firms responded to the request for proposals and the Town of Mina Highway Superintendent reviewed the proposals with the Senior Bridge Engineer for Chautauqua County and the City of Jamestown Highway Superintendent, and;

WHEREAS, the consensus was to engage the engineering firm of Greenman-Pedersen (GPI) to assist the Town on the above identified projects, and;

WHEREAS, the Town Board of the Town of Mina at its April 8, 2021 regular meeting approved the engagement of Greenman-Pedersen (GPI) as GPI has experience with several Bridge NY projects in Chautauqua County, and;

WHEREAS, Bridge NY funding was approved for the Bailey Hill Road culvert replacement project, and;

WHEREAS, pursuant to procurement laws, the Town of Mina vetted the four engineering firms for the grant submission and may, at its discretion without further solicitation of bids, hire Greenman-Pedersen (GPI) to design and oversee all aspects of the Bailey Hill Road culvert replacement project, and;

WHEREAS, the Town of Mina Highway Superintendent is recommending that the Town of Mina enter into an engineering agreement with Greenman-Pedersen (GPI), and;

WHEREAS, the Bailey Hill Road culvert replacement project will include the following engineering services as well as any other Bridge NY project requirements:

- Design I-IV
- Design V-VI
- Right of Way Incidentals
- Right of Way Acquisition
- Construction
- Construction Inspection

NOW, THEREFORE, BE IT RESOLVED, that the Town of Mina hereby authorizes the Mina Town Supervisor to enter into an agreement with Greenman-Pedersen (GPI) engineering firm to oversee all aspects of the Bailey Hill Road culvert replacement project in accordance with Bridge NY requirements at an amount not to exceed New York State's funding of \$998,050.

Motion carried unanimously.

Brumagin – Aye

Burmester – Aye

Sullivan – Aye

- Supervisor Brumagin reported that the FLVFD board is requesting that \$20,000 be put in the capital fund account for the 2022 Town of Mina contract. Councilman Burmaster made a motion, seconded by Councilman Sullivan to include a requirement in the 2022 contract that the FLVFD designate \$20,000 to be included in its capital fund account for 2022. Motion carried unanimously.
Ayes – 3 Brumagin, Burmaster, Sullivan
Nays - 0
- Supervisor Brumagin reported that Superintendent Himelein met with Kim Cole from Vidal Electric on the needs of the community center to purchase a generator. For full functioning of the facility including the two ovens in the kitchen, a 60 kilowatt generator was recommended. A request for bids will be prepared for a 60 kilowatt generator.
- Supervisor Brumagin reported that NYMIR (New York Municipal Insurance Reciprocal) is holding a sexual harassment & discrimination training on March 24th and is encouraging all employees to take this annual training.
- Supervisor Brumagin reported that she met with County Legislator Marty Proctor to discuss the results of the 2020 federal census and that the Town of Mina's population was

down from the 2010 census by 99 people to a total of 1,007. They will take a closer look at the census information as it listed the medium household income in the Town of Mina as \$57,300 which seems too high.

- Supervisor Brumagin reported that Dave McCoy from Chautauqua County Planning & Development called to make her aware of a survey that could possibly help with wastewater funding. There is a webinar on the funding at 11:00 am on the 29th of March.
- Supervisor Brumagin reported that Marty Proctor, County Legislator made her aware of the NYS Climate Smart Communities and possible funding. She will follow up on this.
- Supervisor Brumagin reported that plans are underway for the Memorial Day Parade and Program for 2022. This year the focus will be on those Gold Star veterans who were killed in action during the Civil War. Greg Edwards, history professor at Jamestown Community College, whose family has had a cottage in Findley Lake for decades, will speak on Lincoln's Gettysburg Address focusing on Lincoln's concern regarding the frailty of our democracy.

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers: The monthly claims were examined. Councilman Sullivan moved, seconded by Councilman Burmaster, to pay the monthly claims. In the General Fund claim #48 through #67 in the amount of \$87,645.09 and in the Highway Fund claim #23H through #36H in the amount of \$10,934.33 were approved to pay. Motion carried unanimously.

Approved: Ayes – 3 Brumagin, Burmaster, Sullivan

Nays – 0

Executive Session:

At 9:00 pm, Councilman Sullivan made a motion, seconded by Supervisor Brumagin, to adjourn to Executive Session to discuss real property matters. Motion carried. At 9:19 pm Councilman Burmaster moved, seconded by Councilman Sullivan, to return to regular session. Motion carried unanimously.

Other Business/Actions:

- Upcoming Meeting – The next regular Town Board meeting will be held on Thursday, April 14, 2022 at 7 pm.

Public Comment (Citizens Present and Citizens Not Present): none

Adjournment:

- As there was no further business to come before the Board, Councilman Burmaster moved to adjourn the meeting at 9:29 p.m.

Respectfully submitted,

Sherrie Tanner
Town Clerk