



Town of Minerva

*Stephen McNally, Supervisor
Douglas McCall, Councilman
Keith Dubay, Councilman
David LaBar, Councilman
Scott Fish, Councilman
Jon Fish, Highway Superintendent
Diana Mason, Town Clerk*

PO Box 937,
5 Morse Memorial Highway
Minerva, NY 12851
518-251-2869 (phone)
518-251-5136 (fax)

<http://www.townofminerva.com>

Public service is a privilege. Thank you for allowing us to serve you.

Thank you for attending tonight's town board meeting. We will hold two public comment periods. The first, at the beginning of the meeting, will be limited to 10 minutes. The second, at the end of the meeting, will be as long as it needs to be.

Public comment, like public service, is a privilege. Thank you in advance for sharing your questions and concerns and for respecting your neighbors who are here as a member of the public or as a member of the board.

The Town of Minerva reserves the right to enter into executive sessions to consider issues allowable under the New York State Open Meetings Law. We will do our best to schedule those at the end of the meeting for the convenience of those attending. There may be times when it will be prudent for us to enter executive session earlier in the evening. We apologize in advance for any inconvenience that this may cause to those attending our meetings.

Corresponding meeting material is located in the blue binder and on our web page. We would be happy to make copies upon request during normal business hours.

Town of Minerva Board Meeting Agenda May 7th, 2020

This meeting is being recorded for later transcription.

Roll Call
Pledge of Allegiance
Public Comment

Approval of April 16th Board meeting minutes

Correspondence

Financial Reports

New Business

Resolution to Authorize Payment to MVFD&RS as a
Pre-Pay

Resolution to Award the Donnelly Beach Concession
to Katherine E. Smith

Supervisor's Report
Highway Superintendent's Report

Department Reports
Food Pantry - April
Transfer Station - April

Public Comment
Councilmen Comments
Adjournment

Town of Minerva
Town Board Meeting
April 16, 2020

The monthly meeting of the Minerva Town Board held on Thursday, April 16, 2020 was held by teleconference and minutes are being recorded/transcribe. The meeting was called to order at 7:00 PM ~Upon Roll Call~

Stephen McNally- Supervisor-present on phone

Douglas McCall-Councilman-present on phone and computer

Keith Dubay-Councilman-present on phone

David LaBar-Councilman-present on phone

Scott Fish-Councilman-present on phone and computer

Public Comment #1 None

#98 Motion by Dubay seconded by McCall to accept the minutes of the March 19, 2020 semi monthly meeting. Carried 5-0

Recording begins:

Steve: Audit of Vouchers

Keith: I went through them, everything looks good to me Steve

Steve: all right, first?

Scott: I'll first

Steve: Doug, is everybody there, is Scott back yet?

Scott: I'm back, can everybody hear me?

Steve: yeah, all in favor

#99 Motion by Scott Fish (Keith Dubay) seconded by Doug McCall to approve vouchers #203-262 with General Fund=\$26,000.06; Highway Fund=\$18,886.24; Trust and Agency Fund=\$0.00; Parks District=\$508.29; Fire Protection fund: \$0; Park & Playground Capital Improvement Fund: \$686.06; Water District=\$57.75; Justice Court Cap Imp Fund: \$0; CC Capital Imp Fund \$0; Ice Rink Pavilion Capital: \$0; Minerva Lake Dam Repair Cap \$0; Prepaid: \$39,738.63 for Grand Total of 85,877.03. Carried 5-0

Steve: OK, Operating Statement

Jon Fish: Garbled

Doug: whoever that is talking I can't hear them

Steve: no I can't either OK

Keith: Jon says Dave is going to call in

Steve: All right

Scott: garbled

Keith: all right Steve were are we, Operating Statement? I'll make a motion

#100 Motion by Dubay seconded by McCall the Operating Statements dated 3/31/2020. Carried 5-0

Steve: questions/concerns? All in favor, opposed, Dave here yet?

OK we need a resolution to create a fund and budget line transfer for the waterfront

Town of Minerva
Town Board Meeting
April 16, 2020

project so we can pay these people.

Keith: is that the \$18,750.00?

Steve: Yeah but we're transferring....I don't know how much we are transferring right now...

Doug: garbled

Steve: \$18,750 right...someone what to move that?

#101 Motion by Dubay seconded by McCall to approve RESOLUTION to authorize creation of fund and budget line transfer from Capital Project Fund 99509.01 to Waterfront Revitalization EQ and Capital Outlay \$18,750 transfer town share of grant cost.

Carried 5-0

All in favor? YEA-LaBar, McCall, Dubay, Fish, McNally Opposed-none

Steve: OK Resolution to authorize as pre-pay for CLA for Waterfront project the bill is in there

#102 Motion McCall seconded by Dubay to approve RESOLUTION to authorize payment for CLA site as a pre=pay in the amount of \$10,609.25 from account 71972.17.

Carried 5-0

Doug: seems like the phone works a lot better than the computer

Steve: Yea, mine does, OK I can hear you and Keith real well, I don't hear Scott to well, OK then we need some transfers, everyone see those?

Keith: yes

Steve: someone want to move that?

#103 Motion by Dubay seconded by Fish to approve RESOLUTION to authorize budget line transfers

Carried 5-0

Supervisor report: I don't have much going on, no new cases of Corona Virus in Essex County, the preparedness committee has been meeting every week, really not much going on besides that, if there is anything, I'll get an email out to you or give you a phone call, OK highway superintendent. OH I do want to say we are up in the air by the next meeting we will have to decide what we're doing with Youth Program, Minerva Day, campground beach and all that and hopefully by May we will have a better idea.

Keith: OK

Steve: OK, highway Superintendent

Highway Superintendent Jon Fish present by phone:

Steve: Jon?

Jon: Hear me now?

Steve: Yeah

Jon: I'm still on the computer, I called as well, we did receive all the CHIPS money from last year that we applied for \$79,400(??garbled), applications went in last couple of days

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through Homeland Security forgarbled...\$50,000.00 for Halloween night storm...garbled..that's for roads that have been completed...we got a couple others that Total \$50,000 more...garbled....I've had a lot of help from.....department of Homeland Security, he's pretty thorough and got spreadsheets all done, now we're operating with half the staff trying to sweep roads when we can, I've had to...garbled...half of Second shift from 3-7 cause...she's all ready had to be tested for corona virus once since she came in contact with it, I'm having him sterilize one piece of machinery and operate thatat least we're getting something from that...we've been hauling sand....I heard we had some feed back.....far be it for me to say we.....all the purchased fire wood for next year is cut, split and ready to go...we still no word on CHIPS for this year 2020 and we d haven't got a delivery date yet for the new loader but I'm expecting to hear from that and I hope to hear from CHIPS soon so that we don't have to finance this thing if with all the corona stimulus money going out....garbled with the State spending all this money....I'm a little concerned that they'll cut the CHIPS out entirely which means going to have to fund this loader entirely through some sort of loan probably through...garbled...and that's all I have.

Steve: All right, thank you. OK, Department reports: Town Clerk report

#104 Motion by McCall seconded by Dubay to accept the Town Clerk report dated
March 2020. Carried 5-0

#105 Motion by McCall seconded by Dubay to accept the Food Pantry report dated
3/2020. Carried 5-0

Steve: Kathleen would like to explain what's going on with the Food Pantry?

Kathleen DeGuilme: if you'd like

Steve: Yeah if you want to give a brief description of the numbers are up quite high

Kathleen DeGuilme: the numbers are up because of two things, first of all we are now serving 14 households in Newcomb, Newcomb sends down an employee in a truck and they come and pick up the boxes on Wednesday morning and we also have more people coming probably as the result of the virus crisis. I've got an additional funding from the Adirondack Foundation and tomorrow I'll be applying for more money from the Adirondack Foundation.

Keith and Steve: Thank You

Kathleen: any questions

Steve: any questions for Kathleen?

Board responds: no

Public Comment #2-none

Councilman Comments:

Fish-none

McCall-I don't have anything here, not much going on

Dubay-no I'm all set, that's it

Town of Minerva
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April 16, 2020

McNally: I've got, hopefully I've got 300 of the N95 masks on the way, but I don't know when they'll be here through the County, so when....

Garbled in put from phone members...Betty LeMay has 6 washable ones.... Donate to the fire department..

Keith: Very nice

Danae Tucker: Steve you do have some public here if you want to allow public comment

Steve: Public comment?

Dave LaBar: Steve, can you hear me now?

Steve: yes

Dave: It's Dave LaBar

Steve: Hello Dave

Dave: I don't know why I could hear everything, you all didn't hear a thing I was saying but that's OK

Doug: Just like a normal meeting

Steve: do you have any comment Dave

Dave: Yes quick comment, the APA permit for the chemical in the lake has been submitted and deemed complete, they canceled the meeting in April, they'll be having a meeting in May, which will be for approval if it all goes well and pass we'll be applying chemical in the Lake late May.

Steve: perfect, anything else

LaBar: no

Steve: Any Public comment? Anybody hear anything

Board: I don't hear anybody

Steve: All right, Motion for Adjournment

#106 Motion by McCall seconded by Fish to adjourn at 7:20 PM. Carried 5-0

Steve: we're all done, thanks.

Diana Mason

Town Clerk

Resolution to Authorize Payment for Three Months Additional EMS Service to MVFD as a Pre-Pay

The following resolution was offered by _____ who moved for its adoption:

Whereas at this time New York State is unable to issue or modify a Certificate of Need at this time due to the COVID-19 mandates; and

Whereas the Town of Minerva needs to provide EMS support for its residents,

Now be it resolved that the Town Board of the Town of Minerva authorizes the payment below to MVFD for this support for an additional three months (see attached),

And be it further resolved that the Town Board of the Town of Minerva will approve the following bill as a Pre-Pay in order to facilitate timely payment.

Contractor	Account	Amount to Pay
Minerva Volunteer Fire Department	45404.01	\$4500.00

This resolution was duly seconded by _____. A roll call vote was taken with the following results:

AYES: _____Dubay
 _____McCall
 _____LaBar
 _____Fish
 _____McNally

NOES: _____Dubay
 _____McCall
 _____LaBar
 _____Fish
 _____McNally

As the duly elected Town Clerk of the municipality known as the Town of Minerva, I do hereby certify the following resolution was offered and duly seconded at the regular bimonthly board meeting held on _____ with the results of said resolution noted above.

Dated: _____

Signature _____
Diana Mason, Town Clerk

TOWN SEAL

THIS AGREEMENT, made April 1, 2020, between the MINERVA VOLUNTEER FIRE DEPARTMENT AND RESCUE SQUAD, INC. and the TOWN OF MINERVA for AMBULANCE SERVICE through MINERVA VOLUNTEER FIRE DEPARTMENT AND RESCUE SQUAD, INC.

TERMS:

- MINERVA VOLUNTEER FIRE DEPARTMENT AND RESCUE SQUAD, INC. agrees to continue to operate ambulance service in the same manor it has since 1956, for a period of THREE months or until such time as the NYS DOH OPERATING AUTHORITY TRANSFER (CON) is complete.
- The TOWN OF MINERVA agrees to fund the operation of the AMBULANCE SERVICE for the period of THREE months for the amount of \$4500,00.
- MINERVA VOLUNTEER FIRE DEPARTMENT AND RESCUE SQUAD, INC. agrees to refund the TOWN OF MINERVA with any unused funds for AMBULANCE SERVICE at the end of the THREE month period or when the OPERATING AUTHORITY TRANSFER (CON) is complete, whichever occurs first.
- If at the end of the THREE month period the OPERATING AUTHORITY TRANSFER (CON) is not complete, MINERVA VOLUNTEER FIRE DEPARTMENT AND RESCUE SQUAD, INC. together with the TOWN OF MINERVA may amend this agreement.

Patrica Warrington, President
Minerva Volunteer Fire Department
and Rescue Squad, Inc.

Stephen McNally, Supervisor
Town of Minerva

Resolution No. _____

TOWN OF MINERVA

May 7, 2020

Regular Board Meeting

Resolution to Award the Right to Operate the Donnelly Beach Concession Stand

Whereas, the effective operation of the Concession Stand at Donnelly Beach is an essential component to the successful operation of the beach as a whole; and

Whereas, the Town of Minerva has publically requested letters of interest from all parties wishing to operate the concession stand; and

Whereas, _____ has indicated their interest in running the concession stand;

Be it resolved, that the Town Board of the Town of Minerva awards the contract for operating the concession stand at Donnelly Beach for 2020 to _____ with the terms and conditions in the attached agreement:

Lease Payment: \$200.00

Security Deposit: \$0.00

Hours of Operation: 7 days per week from 10:30 am until 8:00 pm, full time from the week before graduation and to continue after the close of Youth Program. Lessee has the option to open earlier and state hours starting with the beginning of the lease.

Property Insurance: Casualty insurance in the amount of \$5,000. Town named as an additional insured.

Liability Insurance: \$300,000 total aggregate.

Utilities: Tenant will pay for long distance phone and electric utilities during the season.

This resolution was made by _____ duly seconded by _____.

A roll call vote was taken with the following results.

AYES: _____Dubay

_____McCall

_____LaBar

_____Fish

_____McNally

NOES: _____Dubay

_____McCall

_____LaBar

_____Fish

_____McNally

As the duly elected Town Clerk of the municipality known as the Town of Minerva, I do hereby certify the following resolution was offered and duly seconded at the regular bimonthly board meeting held on _____ with the results of said resolution noted above.

Dated: _____

Signature _____

Diana Mason, Town Clerk

Town Seal

Resolution No. _____

TOWN OF MINERVA

May 7, 2020

Regular Board Meeting

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Whereas, _____ has indicated their interest in running the concession stand;

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Property Insurance: Casualty insurance in the amount of \$5,000. Town named as an additional insured.

Liability Insurance: \$300,000 total aggregate.

Utilities: Tenant will pay for long distance phone and electric utilities during the season.

This resolution was made by _____ duly seconded by _____.

A roll call vote was taken with the following results.

AYES: _____Dubay

_____McCall

_____LaBar

_____Fish

_____McNally

NOES: _____Dubay

_____McCall

_____LaBar

_____Fish

_____McNally

As the duly elected Town Clerk of the municipality known as the Town of Minerva, I do hereby certify the following resolution was offered and duly seconded at the regular bimonthly board meeting held on _____ with the results of said resolution noted above.

Dated: _____

Signature _____

Diana Mason, Town Clerk

Town Seal

Council Members

David LaBar
Keith Dubay
Douglas McCall
Scott Fish

TOWN OF MINERVA

5 MORSE MEMORIAL HIGHWAY
P.O. BOX 937
MINERVA, New York 12851-0937
Telephone (518) 251-2869 Fax (518) 251-5136
TDD# 711

email: supervisor@townofminervany.gov <http://www.townofminerva.com>

Town Supervisor
Stephen McNally

Town Clerk
Diana Mason

Highway Superintendent
Jon Fish

**Town of Minerva
Real Estate Lease Agreement**

This Lease Agreement (this "Lease") is made effective as of May 7th, 2020, by and between the Town of Minerva, a municipal corporation ("Landlord") and Katherine E. Smith ("Tenant").

The Parties agree as follows:

PREMISES: Landlord, in consideration of the Lease arrangements provided in this Lease, leases to Tenant existing concession stand on real property owned by the Town of Minerva (the "Premises") located at Minerva Lake, Minerva, New York 12851.

TERM: The Lease will begin on May 7th, 2020 and will terminate on September 30th, 2020.

LEASE PAYMENT: Two Hundred Dollars (\$200.00)

SECURITY DEPOSIT: ZERO (\$0.00)

POSSESSION: Tenant shall be entitled to possession of the first day of the term of this Lease, and shall yield possession to Landlord on the last day of the term of this lease, unless otherwise agreed by both parties in writing.

HOURS OF OPERATION: Seven (7) days a week from 10:30am until 8:00pm, full time from the week before graduation and to continue after the close of Youth Program. Lessee has the option to open earlier and state hours starting with the beginning of this lease.

USE OF PREMISES: Tenant may use the Premises solely for a concession stand business. Tenant agrees to the condition that "no alcoholic beverages will be consumed" on the Premises. The Premises may be used for any other purpose only with the written consent of the Landlord. Tenant shall notify the Landlord of any anticipated extended absence from the Premises not later than the first day of the extended absence. The Tenant shall keep the area immediately around the concession stand neat and picked up. It will be the Tenant's responsibility to notify the Town Maintenance Mechanic(s) when the refuse containers need to be emptied.

PROPERTY INSURANCE: Tenant shall maintain casualty insurance on the Premises in the amount equal to five thousand dollars (\$5,000.00). Landlord shall be named as an insured in such policies. Tenant shall deliver appropriate evidence to landlord as proof that adequate insurance is in force. Landlord shall have the right to require that the

Town of Minerva is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with USDA, Director, Office of Civil Rights, Room 326-W, Whitten Bldg., 1400 Independence Ave., SW, Washington, DC 20250-9410

Council Members

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Landlord receive notice of any termination of such insurance policies. Tenant shall also maintain any other insurance which the Land may reasonably require for protection of the Landlord's interest in the Premises.

LIABILITY INSURANCE: Tenant shall maintain Liability Insurance in total aggregate sum of at least Three hundred thousand dollars (\$300,000.00). The tenant shall deliver appropriate evidence to Landlord as proof that adequate insurance is in force. Landlord shall have the right to require the Landlord receive notice of any termination of such Insurance Policies.

DEFAULTS: Tenant shall be in default of this lease, if tenant fails to fulfill any lease obligation or term by which Tenant is bound. Subject, to any governing provision of the law to the contrary. If Tenant fails to cure any financial obligation within ten (10) days, or any obligation with ten (10) days of written notice of such default is provided by landlord to tenant, landlord may take possession of the Premises without further notice, and without any default and the cost of such action shall be added to Tenant's financial obligation under this Lease. Tenant shall pay all costs, damages and expenses suffer by Landlord by reasons of Tenant's defaults.

ARBITRATION: Any controversy or claim relating to this contract, including the construction or application if this contract, will be settled by binding arbitration under rules of the American Arbitration Association, and any judgment granted by the arbitrator(s) may be enforced in any court or proper jurisdiction.

NOTICES: Notices under this lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage paid, addressed as follows:

<p>Landlord: Town of Minerva P.O. Box 937 Minerva, New York 12851 (518) 251-2869</p>	<p>Tenant: Katherine E. Smith P.O. Box 22 186 Morse Memorial Hwy. Olmstedville, NY 12857 (518) 955-1254</p>
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Such addresses may be changed from time to time by either party providing notices as set forth above.

ENTIRE AGREEMENT/AMENDMENT: This Lease Agreement contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This lease may be modified or amended in writing, if the writing is signed by the parties obligated under the amendment.

SEVERABILITY: If any portion of the Lease shall be held invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting

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Stephen McNally

Town Clerk
Diana Mason

Highway Superintendent
Jon Fish

such provision, it would become valid or enforceable, then such provision shall be deemed to be written, construed and enforced as so limited.

WAIVER: The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this lease.

CUMULATIVE RIGHTS: The rights of the parties under this Lease are cumulative and shall not be construed as exclusive unless otherwise required by Law.

GOVERNING LAW: This Lease shall be construed in accordance with the laws of the State of New York.

ADDITIONAL PROVISIONS: Be it also said that the security deposit shall be held against any damage to the concession stand or equipment, and for further security for any cleanup and/or repairs necessitated by the operation of the Tenant, excepting necessary wear and damage by the elements, or acts of God, or damage caused by third parties or agencies. Said security deposit, except retainage for damages or cleanup, shall be returned to the Tenant within twenty (20) days after the termination of this lease.

UTILITIES: The Tenant shall reimburse the Landlord for the cost of all long distance calls made from the Concession Stand during the months of May, June, July, August, and September. The Tenant shall reimburse the Landlord for the cost of electricity used at the Concession Stand during the months of June, July, August, September and October.

LANDLORD: Town of Minerva
Stephen McNally, Town Supervisor

Signature Date: _____

TENANT: Katherine E. Smith

Signature Date: _____

TOWN SEAL

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REGIONAL FOOD BANK OF NENY

HPNAP Monthly report

Please submit this report by the 10th of the month following the month for which you are reporting.

Report Month/Year: 4/2020

Food Bank ID#: 1101F

Name of Agency/Program: Minerva Food Pantry

County: Essex

Total Individuals Served

(Shelters and Soup Kitchens: please count meals provided, not including seconds.)

Children (ages infant -17)	<u>49</u>
Adults (ages 18-64)	<u>85</u>
Elderly (age 65+)	<u>70</u>
Households	<u>84</u>

Submitted by: Kathleen DeGuilme

Date: 5/1/2020

Telephone: (518) 251-2644 or (518) 251-2869

Email:
lindunida@gmail.com

Street Address of Agency/Program site: Minerva Community Center, Lower Level,
1652 State Route 28N, Minerva NY 12851

Minerva Town Board: We also managed the distribution of 29 boxes of prepared meals and farm products provided by ADK Action.

