

September 10, 2026

The Mina Town Board met on the above date for the Regular Meeting. Supervisor Brumagin called the meeting to order at 7:00 p.m. by leading with the Pledge of Allegiance to the flag. The following members and guests were in attendance:

Present: Rebecca Brumagin.....Supervisor
 Dick Cooper.....Councilman
 Jeff Tornstrom.....Councilman
 Dick Watrous.....Councilman

Attended by: Amy Barney, Tim Barney, Jason Beckwith, Kim Freund, Alvin Kopta (Highway Superintendent), Jeff Park (FLVFD), Marty Proctor (Chautauqua County Legislator), Sherri Schenk

Minutes: Motion was made by Councilman Cooper and seconded by Councilman Tornstrom to approve the minutes of the August 13th Regular Meeting. Motion carried unanimously.

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

- Kim Freund asked if there was any update on the Buesink’s Creek project. Supervisor Brumagin stated she has not heard anything recently.

**RESOLUTION # 15-2026
TOWN BOARD MEMBER RESIGNATION**

Offered by: Councilman Watrous **Seconded by:** Councilman Cooper.

WHEREAS, Brian Sullivan, a duly elected member of the Town Board of the Town of Mina, has submitted a written resignation from the position of Town Board Member, effective August 30th, 2026; and

WHEREAS, the Town Board wishes to formally acknowledge and accept said resignation in accordance with New York State Town Law; and

WHEREAS, the Town Board expresses its appreciation to Brian Sullivan for his service and contributions to the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Mina hereby accepts the resignation of Brian Sullivan, effective August 30th, 2026; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to:

1. Enter this resolution into the official minutes;
2. Notify any required local or state agencies of the vacancy; and
3. Take any additional steps necessary to begin the process of filling the vacancy pursuant to New York State Town Law.

Adopted this 10th day of September, 2026 at a regular meeting of the Town Board.

ROLL CALL VOTE: Supervisor Brumagin — Aye
 Councilman Cooper — Aye
 Councilman Tornstrom — Aye
 Councilman Watrous — Aye

Supervisor Brumagin moved to appoint Jason Beckwith to the remainder of Brian Sullivan’s term as Town Councilman. The term will end 12/31/27 after the November 2027 election process. Motion was seconded by Councilman Watrous and unanimously approved.

Roll Call Vote: Supervisor Brumagin — Aye
 Councilman Cooper — Aye
 Councilman Tornstrom — Aye
 Councilman Watrous — Aye

Clerk Park administered the Oath of Office for Jason Beckworth, at which time he joined the other town board members at the table.

Sewer Project Update:

- Supervisor Brumagin presented the September 10th Square Engineering report.
 - Construction bidding is expected to take place in October, 2026 with most construction to take place in 2027. The initial project startup is anticipated for mid-2028.
 - NYSDEC SPDES Permit has been received.
 - Easements meeting held September 4th was a success, with about 40 more easements signed and delivered to the County for processing. This brings the total easement return rate to about 50% to date.
 - The current Revenue Anticipation Note is due October 20th. A new RAN for up to \$6,000,000 will be needed.

RESOLUTION # 16-2026 REVENUE ANTICIPATION NOTE

A RESOLUTION DELEGATING TO THE SUPERVISOR OF THE TOWN OF MINA, CHAUTAUQUA COUNTY, NEW YORK, POWER TO AUTHORIZE THE SALE AND ISSUANCE OF NOT TO EXCEED \$6,000,000 REVENUE ANTICIPATION NOTES OF SAID TOWN IN ANTICIPATION OF THE REVENUES TO BE RECEIVED IN ANTICIPATION OF RECEIPT OF GRANTS FOR IMPROVEMENTS IN FINDLEY LAKE SEWER DISTRICT BY SAID TOWN IN THE CURRENT FISCAL YEAR OF SAID TOWN.

Offered by: Councilman Watrous **Seconded by:** Councilman Cooper

BE IT RESOLVED by the Town Board of the Town of Mina, Chautauqua County, New York, as follows:

SECTION 1. The power to authorize the sale and issuance of not to exceed \$6,000,000 revenue anticipation notes of the Town of Mina, Chautauqua County, New York, including renewals thereof, in anticipation of the receipt of revenues to be received by said Town as grants for improvements in Findley Lake Sewer District, during the current fiscal year of said Town, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said Supervisor, pursuant to the provisions of the Local Finance Law.

SECTION 2. Said revenue anticipation notes are issued pursuant to Sections (a)(3) and (d)(1)(b) of Section 25.00 of the Local Finance.

SECTION 3. This resolution shall take effect immediately.

Adopted this 10th day of September, 2026 at a regular meeting of the Town Board.

ROLL CALL VOTE: Supervisor Brumagin — Aye
 Councilman Beckwith — Aye
 Councilman Cooper — Aye
 Councilman Tornstrom — Aye
 Councilman Watrous — Aye

Grants Report:

- In addition to the grants report included in the Board Packet, Supervisor Brumagin reported:
 - Councilman Cooper received two quotes for sidewalk concrete work at the south end of the Community Center building.
 - Motion made by Councilman Cooper to accept the bid from Jay Luke to complete the sidewalk concrete project at the south end of the building for \$5,600. Councilman Tornstrom 2nd, and motioned carried.
 - Clymer is once again interested in participating in the Shared Services Dog Kennel project with Ripley, French Creek and Mina.
 - Superintendent Kopta stated that the County Highway Superintendent's Association selected the Town of Mina to submit a grant application in the amount of \$150,000 for the construction of the new highway building.

RESOLUTION # 17-2026
STATE AND MUNICIPAL FACILITIES PROGRAM GRANT SUBMISSION

Offered by: Councilman Tornstrom **Seconded by:** Councilman Cooper

BE IT RESOVED that the Mina Town Board authorizes the Town of Mina Supervisor to apply for a State and Municipal Facilities Program grant in the amount of \$150,000 for the construction of a new highway building. The grant application is due by September 24, 2026 and is supported by Andrew Molitor, NYS Assembly 140th District.

ROLL CALL VOTE: Supervisor Brumagin — Aye
Councilman Beckwith — Aye
Councilman Cooper — Aye
Councilman Tornstrom — Aye
Councilman Watrous — Aye

RESOLUTION # 18-2026
JUSTICE COURT ASSISTAMCE PROGRAM (JCAP)
GRANT SUBMISSION

Offered by: Councilman Watrous **Seconded by:** Councilman Tornstrom

BE IT RESOLVED that the Mina Town Board authorizes the Town of Mina Court to apply for a JCAP Grant in the 2026-2027 grant cycle for an amount up to \$30,000.

Adopted this 10th day of September, 2026 at a regular meeting of the Town Board.

ROLL CALL VOTE: Supervisor Brumagin — Aye,
Councilman Beckwith — Aye
Councilman Cooper — Aye
Councilman Tornstrom — Aye
Councilman Watrous — Aye

Old Business:

- Motion made by Councilman Cooper to accept the four recommendations along with the Town's responses to the New York Municipal Insurance Reciprocal Risk Assessment. Motion seconded by Councilman Watrous. Carried.
- Councilman Cooper stated he had received a quote for \$25,000 to convert the old gym storage closet into a fireproof room for record storage. Clerk Park mentioned there will be an opportunity in early 2027 to apply for a grant that could help the Town purchase additional fireproof lateral files to satisfy the need for better storage of permanent records. Plans will proceed to close off the gym side entrance into the north closet and create an opening from within the main office to facilitate a more secure records storage area without fireproofing the entire room. A quote will be requested for this work only.

Correspondence:

- New York Municipal Insurance Reciprocal provided its Annual Report.
- Heather Young-Deyell sent a thank you card for the donation made in memory of her father, Dave Young.
- Jeff Park submitted a letter from the Findley Lake Volunteer Fire Department naming five members who are active and in good standing, but live outside of the Town of Mina. All five members were granted an exception due to residential proximity to the Fire Station. The Fire Department is asking for approval from the Town Board for these specific members: Josh Ball, Brelynn Ball, Morgan Motherwell, Rick Smulski and Vern Plymire.
 - Motion made by Councilman Beckwith and seconded by Councilman Watrous to approve these five exceptions to the residency requirement. Carried.

RESOLUTION #19-2026
WORKERS' COMPENSATION COVERAGE FOR VOLUNTEER FIREFIGHTERS
AND VOLUNTEER AMBULANCE WORKERS

Offered by: Councilman Cooper **Seconded by:** Councilman Tornstrom

WHEREAS: Regulations for the formation and operation of a volunteer fire department are defined under NYS Town Law §184 Fire Protection Districts, NYS General Municipal Law §200 Defining Qualifications of Exempt Volunteer Firefighters, and NYS Not-for-Profit Corporation Law §1402 Fire Corporations; and

WHEREAS: All New York State volunteer firefighters and volunteer ambulance workers are entitled to workers' compensation benefits under the New York State Volunteer Firefighters' and Volunteer Ambulance Workers' Benefits Law as long as they are active volunteer members of a fire company and are injured or become ill in the line of duty; and

WHEREAS: The Town of Mina has coverage through the Chautauqua County Workers' Compensation program and pays for insurance to cover these benefits, and cannot require volunteers to contribute to the cost of coverage; and

WHEREAS: The Town of Mina contracts with the Findley Lake Volunteer Fire Department for firefighting and ambulance services and contracts with Stanley Hose Company for ambulance services; and

WHEREAS: On an annual basis, the Findley Lake Volunteer Fire Department will provide a list to the Town of Mina of active volunteer firefighters and active ambulance workers; and

WHEREAS: On an annual basis, Stanley Hose Company will provide a list to the Town of Mina of active ambulance workers; and

WHEREAS: Volunteer firefighters activities considered to be in the line of duty by New York State are

- Participation at a fire or alarm, hazardous material incident, or other emergency that triggers response by the fire company
- Travel to, from, and during fires or other calls the company responds to, travel in connection with other authorized activities
- Emergency service volunteered to another company in New York State outside the area regularly served by the member's company, and after such services are accepted by the officer in command at the scene. The responsibility for benefits resulting from an injury in the line of duty will fall to the fire company (and its political subdivision) that accepted the voluntary service
- Some duties in the firehouse, such as construction, repair, maintenance, and inspection
- Inspection of property for fire hazards or other dangerous conditions
- Attendance at fire instructions, or fire school, instruction in training
- Fire prevention activities
- Participation in a supervised physical fitness class
- Participation in authorized drills, parades, funerals, inspections/reviews, tournaments, contests, or public exhibitions for firefighters
- Attendance at a convention or conference as an authorized delegate
- Work on or testing of fire apparatus/equipment, fire alarm systems, and fire cisterns
- Fire company meetings
- Pumping water or other substances from a basement or building
- Inspection of fire fighting vehicles and apparatus prior to delivery under a contract or purchase, or performing duties related to the delivery
- Response to a call for general ambulance service by a member of an authorized emergency rescue and first aid squad
- Fund-raising activities (noncompetitive events)

WHEREAS: Volunteer ambulance workers activities considered to be in the line of duty by New York State are:

- Travel to, work at, and travel from an accident, alarm of accident or other duty the ambulance company has responded to, travel in connection with other authorized activities
- Emergency service volunteered to another ambulance company in New York State outside the area regularly served by the member's company, and after such services are accepted by the officer in command at the scene. The responsibility for benefits resulting

from an injury in the line of duty will fall to the ambulance company (and its political subdivision) that accepted the voluntary service

- Personal assistance provided to another ambulance company
- Performance of duties at the ambulance facility or elsewhere, directly related to the prevention of accidents or disasters or the delivery of emergency health care
- Instruction in ambulance duties, either as teacher or student, attendance at a training school or course of instruction for ambulance workers
- Work in connection with the construction, testing, inspection, repair or maintenance of the ambulance facility and the facility fixtures, furnishings and equipment, as well as the vehicles, apparatus and equipment used by the ambulance company
- Attendance at, or participation in, any noncompetitive training program
- Attendance at, or participation in, authorized drills, parades, funerals, inspections or reviews
- Attendance or work at the ambulance company meetings
- Practice for, or participation as a contestant or an official in, any competitive tournament, contest, or public exhibition conducted for ambulance workers intended to promote the efficiency of the ambulance company
- Inspection of ambulance vehicles and ambulance apparatus prior to delivery under a contract or purchase, or performing duties related to the delivery
- Attendance at a convention or conference of ambulance workers or officers as the authorized delegate or representative of the ambulance company
- Work in connection with a fund-raising activity of the ambulance company, not including competitive events where volunteer ambulance workers are competitors

WHEREAS: Volunteer firefighters & volunteer ambulance workers activities not considered to be in the line of duty by New York State are:

- Participation, including practice, in any recreational or social activity, other than noncompetitive fund-raising activities
- Work performed in service of a private employer, public corporation, or special district
- Work performed while on a leave of absence, a suspension from duty, or work that the volunteer was ordered not to perform
- Competitive events where volunteer members compete, such as baseball, basketball, football, bowling, tugs of war, boxing, wrestling, contests between bands or drum corps, or other competitive events that involve physical exertion on the part of the competitors
- Paid service, either compensation or a gratuity for performing work or an activity covered under the law. If the work or activity is paid and not performed on a volunteer basis, it is not considered in the line of duty. The following items are not considered compensation or a gratuity: reimbursed expenses for meals, lodging, necessary travel or a mileage allowance; and acceptance of transportation, food, drink, shelter, clothing and similar items while on duty

WHEREAS: The Findley Lake Volunteer Fire Department and the Stanley Hose Company will ensure that, prior to election or appointment to a position, each applicant seeking to be an active firefighter or active ambulance worker meet the minimum New York State standards for the position they seek to hold including:

- Completion of training or certification
- Be 18 years or older
- Have undergone a background check for criminal history, conviction of a crime requiring the person to register as a sex offender, and verified to not have been convicted of arson
- Not be a member of another fire company or ambulance company
- Reside within the State of New York
- Reside within the Town of Mina or within a district contracted by the Town of Mina or are a nonresident who has been approved by the Mina Town Board to serve as an active firefighter or active ambulance worker in accordance with Not-for-Profit Corporation Law §1402(c)(3) Appointment of Firefighters

NOW, THEREFORE BE IT RESOLVED: that the Mina Town Board accepts and approves that volunteer firefighters and volunteer ambulance workers who meet the minimum New York State

standards for the position they hold are entitled to workers' compensation benefits under the New York State Volunteer Firefighters' and Volunteer Ambulance Workers' Benefits Law as long as they are active volunteer members of the Findley Lake Volunteer Fire Department or Stanley Hose Company (for volunteer ambulance workers) and are injured or become ill in the line of duty as outlined in this resolution.

ROLL CALL VOTE: Supervisor Brumagin — Aye,
Councilman Beckwith — Aye
Councilman Cooper — Aye
Councilman Tornstrom — Aye
Councilman Watrous — Aye

Reports:

- Highway / Cemetery Committee – Councilman Watrous stated the project entailing the cutting and removal of trees at the cemetery has been completed.
- With the resignation of Councilman Sullivan, there is an opening for another Town Board member to be named to the Highway / Cemetery Committee. Supervisor Brumagin asked Councilman Tornstrom if he would be willing to fill the opening. Councilman Tornstrom accepted.
- Highway Superintendent Kopta submitted his report.
 - Paving projects have been completed for this year.
 - Three items were listed on the Municibid site, and were sold as follows: Metal Pole Barn - \$16,220, Brine Tanks - \$100, Tiger Head mower component - \$370.
- Town Clerk / Tax Collector – The Town Clerk's report was included in the board packet reporting the collection of fees and sales of \$16,576.00 for the month of August. She paid the Supervisor \$1947.85, NYS Ag and Markets for dogs \$20.00, NYS Health Dept. for Marriage Licenses \$45.00 and NYS DEC \$14,563.15 for hunting and fishing licenses.
- Supervisor – Supervisor Brumagin stated the August 2026 financial report is a partial report due to the recent change from QuickBooks to Williamson Law Book. A full report will be submitted for the month of September. The 2027 Budget Process requires a Tentative Budget to be ready by early October with finalization by November 15th. A Work Session for the 2027 Budget Process is scheduled for October 6th at 6:00 pm.

Community Updates:

- Findley Lake Volunteer Fire Department –
 - Jeff Park reported that the renovations to the front of the firehall would begin on Monday. The fire trucks will be temporarily housed at the Gateway Park building, and the ambulance will be stationed at the Town Barn.
 - Councilman Sullivan had been the liaison between the Town Board and the Fire Department. Jeff Park will now serve as liaison between the two entities.
 - Supervisor Brumagin will continue to serve as Disaster Coordinator.
 - Motion made by Supervisor Brumagin and seconded by Councilman Cooper to name Charles Armstrong as Emergency Services Coordinator. Motion carried.
- Maplevale Farms was given a significant tax break due to the expectation of having to use generators for daily operations until the completion of the National Grid upgrades. It now appears that the National Grid project is significantly ahead of schedule, so the use of generators may no longer be needed. Supervisor Brumagin will look into the specifics of the PILOT (Payment in Lieu of Taxes) agreement with Maplevale Farms.

New Business:

- Local Law Tax Cap Override – Supervisor Brumagin reported that a local law to override the Tax Cap may be needed. Councilman Watrous made a motion, seconded by Councilman Cooper, to hold a Public Hearing on Proposed Local Law #7-2026.

**LOCAL LAW #7-2026
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 2026 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. Additionally, the Town of Mina is experiencing large increases in employee benefits for health insurance and retirement savings as well as significant increases in fuel costs.

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 2027 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.

ROLL CALL VOTE: Supervisor Brumagin — Aye,
Councilman Beckwith — Aye
Councilman Cooper — Aye
Councilman Tornstrom — Aye
Councilman Watrous — Aye

The Public Hearing on Proposed Local Law #7-2026 will be held Thursday, October 8, 2026 at 7 pm.

- Supervisor Brumagin reported that Community Connections hosted a presentation by Chad Schofield on the farming operations at Findley Lake Dairy including plans to cover the manure pits which will reduce the issue of odor in the downtown and lake area. The presentation was well received.

Payment of Monthly Claims / Transfers:

- The monthly claims for September were examined. Councilman Cooper moved, seconded by Councilman Watrous, to pay the monthly claims – General Fund #239a through #266 in the amount of \$17,152.02, Highway Fund #115aH through #127H in the amount of \$121,765.05 and Sewer Fund #25S through #28S in the amount of \$47,569.95 Motion carried unanimously.
Ayes – 5 Brumagin, Beckwith, Cooper, Tornstrom, Watrous
Nays – 0

Public Comment (Citizens Present and Citizens Not Present):

- Sherri Schenk asked if John Swartz was planning a walking path on their property. Supervisor Brumagin replied there is a plan to have a public access trail with some historical information presented to enhance the experience.
- Sherri Schenk also noted that Route 426 and 430 are not being paved through the downtown area. State Resident Engineer Kyle Henderson is not aware of the specifics of the project, but said the earliest plan would be for this would be 2028, as they are likely waiting for the sewer project to be completed.

- Sherri Schenk also brought up the change in payment options for paying Clymer Central School tax bills. Payments can be made online or by mail, but there is no in-person option to pay at the bank this year.

Other Business / Actions:

- None.

Executive Session:

- The Town Board entered into Executive Session for the proposed acquisition, sale or lease of real property and litigation at 9:15 p.m. upon motion by Councilman Watrous and second by Councilman Cooper. At 9:47 p.m. motion was made by Councilman Watrous and seconded by Councilman Beckwith to return to Regular Session.

Adjournment:

As there was no further business to come before the Board, motion was made by Councilman Cooper to adjourn the meeting at 9:48 p.m.

Respectfully submitted,

Marcellanne Park
Town Clerk