

December 11, 2025

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
Christine Craffey.....Councilwoman
Brian Sullivan.....Councilman
Dick Watrous.....Councilman

Attended by: Amy Allen, Amy Barney, Tim Barney, Alvin Kopta (Deputy Highway Superintendent) (7:03 p.m.), Ed Mulkearn (Findley Lake Watershed Foundation) (7:04), Marty Proctor (Chautauqua County Legislator) (8:14 p.m.)

Minutes: Motion was made by Councilman Watrous, and seconded by Councilman Cooper, to accept the minutes of the November 13, 2025 Regular Meeting. Motion carried unanimously.

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

- Amy Allen wanted to express her concern with a property owner from Sulphur Springs Road that is not keeping his cattle (bulls) on his own property. The cattle have destroyed hay bales on their property and have been eating crops off of another neighbor's property (the neighbor was unable to attend the meeting to express their concern).

Sewer Project Update:

- Supervisor Brumagin reported that she spoke with Matt Zarbo from Square Engineering and he provided an email update for the Town Board. He will attend the January 8, 2026 meeting and review the plans for the sewer district layout.

Design:

- Waste Water Treatment Plant – Design is in the preliminary stages. General site layout is complete and equipment recommendations are being received from suppliers. SPDES permit application was accepted by NYSDEC and is under review. They have requested additional wetland permit applications before they continue processing the SPDES permit and Square Engineering is working on that. A subcontractor is on site to do an evaluation of the groundwater well at the site. Subcontractor intends to complete boring at the plant site by the end of the year. National Grid service request has been submitted by the electrical engineer, as National Grid requested.
- Collection System Layout – The layout of low-pressure and gravity sewer main areas has been progressing, and is being actively reviewed. Intend to have a full layout ready to discuss at the board meeting in early January.

Easements and Additional Land Requirements:

- Individual Grinder Pumps/Lateral Easements – Every property will need to sign an easement. They are working with Attorney Joe Calamari on the easement agreement to send out to property owners, anticipating this to take place in early 2026.

- Pump Stations – They have contacted some property owners for land acquisition for the major pumping stations. Waiting to hear back from some.

Grants Report:

- NY Forward/DRI Grant – Supervisor Brumagin reported that she provided a short video and a power point presentation to the grant review committee in Buffalo on December 3rd. Jacob Bodway from Chautauqua County Greenway Plan joined her for the presentation. She gave a copy of the power point presentation to Town Board members.
- Ralph Wilson Jr. Foundation – Hub Grant: Supervisor Brumagin reported that the narrative on enclosing the front entryway was submitted and the total being requested is \$155,000. Supervisor Brumagin reported that the Ralph Wilson grant review committee will be meeting on January 21st. Architect Paul Hagman has volunteered to assist with the design.
- Highway Building/Fire Station – Architect Feasibility Study – Supervisor Brumagin reported Architect, Zach Comstock, from Barton & Loguidice will review the cost estimates at the town board's next meeting.

Old Business:

- Website & Email Accounts – Supervisor Brumagin reported that Heather Young-Deyell is helping along with Southern Tier Graphics to convert the website and email accounts to the .gov address.
- Cybersecurity Proposals – Supervisor Brumagin reported that a proposal from Southern Tier Graphics was received and she asked Councilman Sullivan to review the proposal with her.
- Cemetery Rates – Councilman Sullivan distributed a handout on proposed cemetery rates. After reviewing and discussing the proposed rates, Councilman Cooper made a motion, seconded by Councilwoman Craffey, to adopt the following rates effective January 1, 2026: Lot Price \$600.00; Interment \$650.00; Cremation \$350.00; Marker Foundations \$250.00 minimum; Weekend, Holiday, Wintertime Opening, or Overtime Interment additional \$200.00 (any interment outside of normal business hours, and after 12 pm on Saturdays); Grave Opening/Disinterment \$500.00. All were in favor and the motion passed.
Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous
Nays – 0
- Clinton Brown – Historic Barn Survey Proposal – Councilman Cooper reported that he reached out to some barn owners on the proposed historic barn survey and the owners were not interested. At this time, he is recommending to not pursue the survey but to keep it in the back of our minds for down the road. Supervisor Brumagin will talk with Architect Clinton Brown on evaluating some barns at a lesser fee.
- National Grid Substation Upgrades – Supervisor Brumagin reported that she received notification from Keith Rogers, Chief Operating Officer of Maplevale Farms that National Grid will be scheduling a meeting in the near future.

Correspondence:

- Charter Communications – Upcoming changes to its network.
- NationalGrid – Information on the new smart meters and contact information if constituents have any issues with the new smart meters and with the First Responder Utility Safety.
- Lauren Sharp – Chautauqua County Planning Department – Ag District Inclusion – Supervisor Brumagin reported that a notice that the application period for Ag District

Inclusion is from January 2nd-31st, 2026 and the notice is posted on the Town's bulletin board.

- National Fuel – Information on “Sewer Cross Bore Safety”.
- NYS Department of State – Letter informing the Town that Local Law #4-2025 Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c was filed with the State on October 29, 2025.
- MRB Group – Letter informing the Town of a proposed project that would include a convenience store and gas station at the property on the northwest corner of Interstate 86 at Exit 4.

Reports:

- Highway/Cemetery Committee – Councilman Watrous reported that David Hostetler who will be cutting the trees and trimming them is waiting on the weather. Deputy Highway Superintendent Kopta looked at the treeline along Walker's property and Councilman Watrous plans to stop and speak to the property owner.
- Highway Superintendent – Deputy Superintendent Kopta reported that they are currently down a plow truck (the 2016 model); a part has been ordered and is expected to arrive in the next couple of days.
- Assessor – The assessor's report was included in the Town Board packet. She reported that she is preparing manual models for the revaluation and they will be complete by the end of December. Assessment change notices will be mailed out to all property owners in early March. The informal hearing process will take place from end of March through April. Recently there was a meeting between town supervisors/mayors and County Executive PJ Wendel regarding the proper valuation of gas wells. The Town of Mina has been appropriately updating the gas well assessments each year.
- Town Clerk/Tax Collector – The Town Clerk's report was included in the board packet reporting the collection of fees and sales of \$3,801.00 for the month of November 2025. She paid the Supervisor \$1,014.72, NYS Ag and Markets for dogs \$26.00, and NYS DEC \$2,760.28.
- CEO/Building Inspector – Supervisor Brumagin reported that Tom McNinch is working on the list of businesses requiring fire inspections.
- Dog Control Officer – Supervisor Brumagin reported that the Town of Ripley contacted her about a potential shared services grant for a Dog Holding Facility.
- Supervisor – Supervisor Brumagin reported that the November 2025 financials were included in the Town Board packet. She reported that the two grants, one for Buesink's Creek and the WQIP (Water Quality Improvement Program) for the sewer district are needing additional documents to be submitted. She also reported that the CDBG planning grant for the Pocket Neighborhood was denied and a debriefing with the State has been requested.

Community Updates:

- Findley Lake Volunteer Fire Department – Supervisor Brumagin reported that with the increase in the amount of the contract for the fire department by almost \$20,000 to a contract total of \$100,000. The Town Board needs to decide what amount to require that the department must deposit in the Capital Equipment Fund. Councilman Sullivan made a motion, seconded by Councilman Watrous, to have \$35,000. be designed to be deposited into the Capital Equipment Fund. Motion carried unanimously.
Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous
Nays – 0

Supervisor Brumagin also reported that the fire department is having issues with the fire engine, which is the oldest piece of equipment, and they are looking for a used one to replace it.

- Findley Lake Watershed Foundation – Ed Mulkearn reported that the lake is frozen over. Councilwoman Craffey reported that a college student contacted the Watershed Foundation and they are working on a thesis on the quality Findley Lake.
- Clymer Central School Board – Ed Mulkearn, CCS Board President, reported that for the merger study with Clymer, Sherman and Panama, they are looking for individuals to be serve on focus groups.

New Business:

- Local Law re: Livestock – Supervisor Brumagin reported she received a phone call from Deputy Sheriff, Joel Walsh, asking if the Town of Mina had a local law on the control of livestock as there is an issue in the Town of Mina with cattle not being contained to the owner's property. She distributed a sample local law provided by the Town of Sherman for discussion. Councilman Sullivan made a motion, seconded by Councilwoman Craffey, to hold a public hearing on proposed Local Law #1-2026 Regulating the Control of Livestock. Motion carried unanimously.

LOCAL LAW NO. 1 OF 2026

A LOCAL LAW REGULATING THE CONTROL OF LIVESTOCK

Be it enacted by the Town Board of the Town of Mina, in the County of Chautauqua, as follows:

Section 1. Authority.

This local law is adopted by the Town of Mina pursuant to the authority granted by:

- A. Article IX of the New York State Constitution, §2(c)(6) and (10);
- B. New York Statute of Local Governments, §10(1);
- C. New York Municipal Home Rule Law, §10(1)(i) and (ii) and §10(1)(a)(6), (12) and (14); and
- D. New York Town Law §130 (11) (Peace, good order and safety) and (15) (Promotion of public welfare).

Section 2. Findings of Fact / Statement of Purpose.

A. **Findings of Fact.** The Town Board of the Town of Mina finds as follows:

- (1) That under the present codes and laws of the Town of Mina there are no restrictions or controls prohibiting livestock from roaming free and trespassing on public and private highways and lands unattended.
- (2) That in order to provide for the orderly growth and proper functioning of the Town of Mina, it is necessary to impose certain restrictions on livestock with respect to their running free and trespassing on public and private highways and lands.

B. **Statement of Purpose.** The Town Board of the Town of Mina recognizes that the failure to confine livestock and allowing such domestic animals to roam free and to trespass on public and private highways unattended and on public and private lands without permission of the

owner or possessor of such lands, are injurious to health, safety, and welfare of the Town of Mina.

C. **Definitions.** As used in this Local Law, the following terms shall have the meanings, hereinafter designated.

(1) *Livestock* - Shall mean:

- (a) Cattle - one or more calves, heifers, cows, bulls, steers, oxen, or other bovines;
- (b) Horses - one or more colts, ponies, stallions, geldings, mares, or other equines;
- (c) Swine - one or more pigs, piglets, or hogs;
- (d) Sheep - one or more lambs, ewes, or rams, and
- (e) Goats - one or more kids, does, or bucks.

(2) *Owner* - Shall mean the registered owner, if cattle or horses are entered on a public or private register of owners of such animals, and any person claiming or asserting any interest in cattle, horses, swine, or sheep, whether such claim or assertion is based on documentary or oral evidence.

(3) *Possessor* - Shall mean any person having cattle, horses, swine, or sheep in his possession or under his control, whether as a bailee or other agent of the owner.

(4) *Person* - Shall mean corporations, partnerships, unincorporated associations, as well as individuals.

(5) Throughout this Local Law, the use of the singular shall include the plural and vice versa, and the use of the masculine shall include the feminine and vice versa.

D. **Confinement of Livestock.** Every owner and/or possessor of livestock shall keep such animals securely and safely confined to his own lands. by adequate fencing or other lawful restraints and shall not allow such animals to roam unattended on public or private lands or highways.

E. **Presumption.** If livestock are found unattended on public or private highways, or are discovered on public or private lands, other than lands owned or leased by the owner and/or possessor of such animals, it shall be presumed that the owner and/or possessor of such animals failed to confine or restrain such animals in a proper manner as specified herein, and the burden of proving proper confinement or restraint shall be on the owner and/or possessor of such animals.

F. **Penalties & Enforcement.**

(1) Repeat offences of any and every violation of the provisions of this Local Law by any person shall be deemed to be an offense against such Local Law, punishable by a fine not exceeding \$300.00 or imprisonment not exceeding 15 days, or both. Each additional animal found at large during a single offense shall be punishable by a fine not exceeding \$100.00 per animal. For any subsequent offense of the same nature within 45 days of the first offense, the fines stated above shall be doubled.

(2) Any code enforcement officer, animal control officer, peace officer, when acting pursuant to his special duties, or police officer upon observing a violation of this article

may issue and serve an appearance ticket for such violation.

- (3) In addition to the above provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town and the Court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of such Local Law.

Section 3. Severability.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 4. Effective Date.

This local law shall take effect immediately upon its filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Brumagin – Aye
Cooper – Aye
Craffey – Aye
Sullivan – Aye
Watrous – Aye

The Public hearing will be held on January 6, 2026 at 9:00 a.m.

Climate Smart Communities – Supervisor Brumagin reported that Kelly McDonald is willing to serve as Coordinator for the Climate Smart Communities Program. Supervisor Brumagin made a motion, seconded by Councilwoman Craffey, to appoint Kelly McDonald as the Coordinator.

Motion carried unanimously.

Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous

Nays – 0

Payment of Monthly Claims/Transfers:

- Payment of Monthly Claims/Transfers: The monthly claims for December were examined. Councilwoman Craffey moved, seconded by Councilman Watrous, to pay the monthly claims in the General Fund claim #319 through #339 in the amount of \$11,158.55, in the Highway Fund claim #189H through #207H in the amount of \$35,760.85, and in the Sewer Fund claim #32S through #33S in the amount of \$88.25. Motion carried unanimously.

Approved: Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous

Nays – 0

Public Comment (Citizens Present and Citizens Not Present):

- County Legislator Marty Proctor reported he spoke with Tim Carlson from County Emergency Services about storage of the fly car in Findley Lake and the fact that the Town Board will be reviewing plans for the renovation of the highway building for the fire station at the meeting on January 6, 2026 at 9:00 a.m.
- Amy Allen asked for more information on the historical barn survey that was talked about earlier in the meeting.
- Ed Mulkearn thanked Sherrie Tanner for her years of service as Town Clerk.

- Supervisor Brumagin paused the meeting for a few moments. She came back with a gift for Clerk Tanner for her 13 years of service and thanked her also. Although Highway Superintendent Bill Himelein was not in attendance, she thanked him for his nine years of service as Highway Superintendent and for his year serving on Town Council.

Executive Session:

- At 8:43 pm, Councilwoman Craffey moved, seconded by Councilman Cooper, to adjourn to Executive Session for personnel matters and potential litigation. Motion carried. At 9:38 pm, Councilman Sullivan moved, seconded by Councilman Cooper, to return to regular session. Motion carried.

Other Business/Actions:

- Supervisor Brumagin discussed a proposed revision to the zoning law. Councilwoman Craffey made a motion, seconded by Councilman Watrous, to hold a public hearing on January 6, 2026 for Local Law #2-2026 Revision to Zoning Law regarding R1 Pole Barns from a Use Variance Permit to a Special Use Permit. Motion carried unanimously.

PROPOSED LOCAL LAW NO. 2 OF 2026

**UPDATE TO LOCAL LAW #3-2025 TOWN OF MINA ZONING LAW –
ALLOWING FOR THE CONSTRUCTION OF A POLE BARN/POLE STRUCTURE IN
R1 RESIDENTIAL ZONING DISTRICT WITH THE GRANTING OF A SPECIAL USE
PERMIT BY THE ZONING BOARD OF APPEALS**

PURPOSE: The Town Board of the Town of Mina recognizes that the Town of Mina’s Zoning Law, in keeping with the intent of the Town’s Comprehensive Plan, may occasionally require amendments, revisions or clarifications to allow for a more understandable and just interpretation and enforcement of the law.

WHEREAS, a comprehensive plan is a community’s official long-range planning document and, after public input, the Town of Mina adopted a Comprehensive Plan in February 2024 that includes the following:

- Mina’s Mission: “... To ensure diverse interests of the community are taken into consideration when making decisions while maintaining a balance between individual property rights and community needs. To promote an atmosphere of mutual respect and cooperation by citizens, community organizations, and government officials when approaching issues.”
- Government Goal: To live in a community where local officials are accessible and communicate with the community, where adequate infrastructure and public services are available, and where citizens are treated fairly and consistently.
 - Objective: To strive to administer the laws of the Town in a fair and consistent manner.
 - Objective: To promote communication with citizens regarding local issues and decisions to encourage active participation in the community.

WHEREAS, under the present Town of Mina Zoning Law (Local Law #3-2025 effective June 12, 2025) construction of a pole barn/pole structure is not permitted in the R1 Residential Zoning District as well as R2 Lakeside Residential, B1 Historic Business, and B3 Sunnyside Business

Districts unless the applicant meets all of the criteria for a Use Variance including demonstrating a hardship that is not self-created, and

WHEREAS, under the present Town of Mina Zoning Law construction of a pole building/pole structure is allowed with a Permit by Right in A1 Agricultural District and with a Special Use Permit in AR Agricultural Residential, B2 Commercial Business, and B4 Shadyside Business Districts, and

WHEREAS, the R1 Residential Zoning District covers some areas that abut the A1 Agricultural District and other areas that are near the R2 Lakeside Residential District; a reasonable approach for decision making is for the Zoning Board of Appeals to have the discretion through the Special Use Permit process to determine if a pole barn/pole structure should be allowed; and

WHEREAS, the Town of Mina will continue to review and amend or revise the Zoning Law periodically to address inconsistencies and attend to contemporary issues; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Mina proposes to adopt Local Law #2-2026 allowing for the construction of a pole barn/pole structure in R1 Residential Zoning District with the review and granting of a Special Use Permit by the Zoning Board of Appeals.

EFFECTIVE DATE: This local law revision shall take effect immediately upon its filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous

Nays – 0

- Supervisor Brumagin reported that bookkeeper, Autumn Boardman, has requested to be included on the Town's vision plan and is willing to pay the full cost. Councilman Watrous made a motion, seconded by Councilwoman Craffey, to allow Autumn Boardman to join the Town's vision plan at her expense and for the town to recoup the cost of the premium through payroll deduction. Motion carried.
Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous
Nays – 0
- Supervisor Brumagin reviewed the healthcare benefits for employees. Councilman Sullivan made a motion, seconded by Councilman Cooper, to renew the Univera Access Gold policy for healthcare, VSP for vision coverage and the Health Reimbursement Account. Motion carried unanimously.
Ayes – 5 Brumagin, Cooper, Craffey, Sullivan, Watrous
- Upcoming Meetings: Cancellation of Sewer Work Session and Year-End Meeting previously scheduled for, Tuesday, December 30th, 9 am. The Organizational Meeting & Special Meeting with public hearings on local laws #1-2026 and #2-2026 to be held on, Tuesday, January 6, 2026 at 9 am; and, the Regular Meeting to be held on Thursday, January 8, 2026 at 7 pm.

Adjournment:

- As there was no further business to come before the Board, Councilman Watrous moved to adjourn the meeting at 9:45 p.m.

Respectfully submitted,

Sherrie Tanner
Town Clerk