

An Organizational Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 3rd day of January 2017.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Janet Vogtli, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
Susan Gamel, Budget Officer
James Musacchio, Attorney

Others Present: Highway Superintendent Peter Waterman; Dick Agle; Andrew Kuczkowski, reporter The Observer

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

The 2017 Organizational Resolutions were gone through.

Resolution # 1 – 58: **2017 ORGANIZATIONAL RESOLUTIONS**

Motion made by Supervisor Tessmer seconded by Councilman Clark to adopt the following Organizational Resolutions for 2017 as presented:

1. That a Bond in the amount of not less than \$100,000.00 be obtained as a blanket undertaking for all Town employees; excepting: the Justices to have not less than \$200,000.00 each, the positions of Town Clerk/Tax Collector, Supervisor, Budget Officer and Deputy Town Clerk to have not less than \$250,000.00 each.
2. That the Town Clerk retains the amount of \$250.00 Petty Cash Fund.
3. That the two Town Justices retain the amount of \$50.00 each Petty Cash Fund.
4. That the Town Recreation Program retains the amount of \$225.00 Petty Cash Fund.
5. That the Town Senior Recreation Program retains the amount of \$200.00 Petty Cash Fund.
6. That the Sales Tax received from Erie County be retained and applied to reduce the Real Estate Taxes to be collected by the Town.
7. Designating the official banks of the Town of Collins as Community Bank, N.A. and M & T Bank.
8. Establishing the time of the Collins Town Board Meetings as the first and third Mondays of January, February, March, April, May, June, September, October, November and December at 7:00 PM; the second Monday of July and August at 7:00 PM. A workshop session will be held during the Board meetings held on the third Mondays. All meetings will be held in the Collins Town Hall, and when the meeting date falls on a legal holiday, it shall be held on the following business day.
9. Authorizing the Superintendent of Highways to rent equipment at rates not to exceed NY State rates.
10. Setting the mileage rate expense incurred while on Town business at 50 cents per mile.
11. Authorizing the Supervisor and Budget Officer to invest Town Funds not immediately needed in Time Open Accounts (Certificates of Deposit) for interest and in Interest-Bearing Accounts pursuant to the Town's Investment Policy.
12. Authorizing the Supervisor to attend meetings and schools pertaining to the Office of Supervisor with expenses paid.
13. Authorizing the Town Clerk to attend meetings and schools pertaining to the Office of Town Clerk, Office of Tax Collector and the Office of Registrar of Vital Statistics with expenses paid.
14. Authorizing the Highway Superintendent to attend meetings and schools pertaining to the Office of

Highway Superintendent with expenses paid.

15. Designating the Dunkirk Observer as the Town's official paper and the Gowanda Pennysaver News and Springville Journal as secondary publications.
16. Setting the salary of the elected Town Supervisor at \$18,543.60 annually plus an additional amount of \$1,500.00 to oversee the water department; totaling \$20,043.60.
17. That the appointed Deputy Supervisor serves at no additional salary.
18. Setting the salary of the four (4) elected Town Councilmen at \$6,181.20 each annually.
19. Setting the salary of Jeanne Ebersole as Town Assessor at \$20,604.00 annually, plus an additional amount of \$10,000.00 for 2017 to complete records update.
20. Setting the salaries of the Assessment Board of Review members at \$289.49 each annually.
21. Appointing James Musacchio as Attorney for the Town for a term expiring on January 1, 2018 and setting the salary at \$11,826.80 annually.
22. Setting the salary of the full-time Town Budget Officer/Bookkeeper at \$21.02 per hour.
23. Setting the salary of Gene Degman; Code Enforcement Officer at \$8,359.14 annually, and Charles Siegle; Assistant Code Enforcement Officer at \$ 5,742.65 annually.
24. Setting the salary of the elected Town Clerk at \$40,300.46 annually.
25. Setting the salary of the appointed Deputy Town Clerk at \$12.03 per hour.
26. Setting the salary of Mary Dankert, Dog Control Officer at \$5,151.00 annually.
27. Appointing Peter Waterman, Highway Superintendent to supervise the transfer station and the parks department employees of the Town of Collins with the authority to schedule workers in those departments.
28. Setting the base salary of the elected Town Superintendent of Highways at \$53,863.98 annually, plus an additional amount of \$2,000.00 for overseeing the transfer station and the parks department; totaling \$55,863.98
29. Setting the salary of the experienced Highway Department workers (Motor Equipment Operators) as follows: Nicholas Gernatt at \$22.62 per hour, Mark Hobson at \$22.13 per hour and Mark Mangano at \$18.70 per hour, until October 20, 2017, when he will receive a step increase to \$19.27 per hour.
30. Setting the salary of the Highway Department Automotive Mechanic at \$24.67 per hour.
31. That the appointed Deputy Highway Superintendent serves at an additional \$1,000.00 annually.
32. Authorizing all permanent full-time employees of the Highway Department to be given up to a maximum of \$ 150.00 for safety apparel allowance.
33. That the Highway Department Laborers be paid \$15.00 per hour (if not experienced, \$9.70 per hour for the first six months).
34. Setting the salary of Douglas Martindale, Town Historian at \$206.04 annually
35. Setting the salary of the two (2) elected Town Justices at \$14,937.90 each annually.
36. Setting the salary of the two (2) Court Clerks at \$ 9,735.39 each annually.
37. Setting the salary of Donna Bellanca as Caretaker at \$10.50 per hour

38. Setting the salary of Douglas Martindale as Laborer (Buildings & Grounds) at \$10,508.04 annually
39. Setting the salary of the Town of Collins Planning Board Members at \$ 808.71 each annually.
40. Setting the salary of the Chairman of the Planning Board at an additional \$600.00 annually.
41. Setting the salary of the Secretary of the Planning Board at \$25.76 per meeting.
42. Setting the salary of James Musacchio as Town Prosecutor at \$5,151.00 annually.
43. Setting the salary of the Registrar of Vital Statistics at \$412.08 annually.
44. Appointing the Deputy Town Clerk as Deputy Registrar of Vital Statistics at no salary.
45. Setting the salary of Scott Martindale, Seniors Program Coordinator at \$12.29 per hour.
46. Setting the salary of Patricia Tucker, Seniors Program Assistant at \$9.78 per hour.
47. Setting the salary of Samantha D'Amato, Director of Recreation II (PT) at \$15.45 per hour, for the Summer and Winter Recreation programs.
48. Setting the salary of the Recreation Supervisor (PT) at \$12.36 per hour.
49. Setting the salary of the Summer Beautification and Recreation program youth workers at \$9.70 per hour.
50. Setting the salary of the Park Crew Chief at \$14.42 per hour.
51. Setting the salary of Tammy Utle, Kenneth Tyger, Donald Johnson and Joshua Porter as Transfer Station Attendants at \$10.35 per hour.
52. Setting the salary of the Youth Services Associates at \$9.70 per hour.
53. Setting the salary of the members of the Zoning Board of Appeals at \$118.47 each annually.
54. That the Tax Collector collect a \$1.00 surcharge for delinquent taxes for 2017 and \$1.00 for copies of tax bills.
55. Appointing Becky Jo Summers as the ADA Coordinator, Affirmative Action Officer and Bingo Inspector at no additional salary.
56. To adopt the Town Investment Policy.
57. To adopt the Town Procurement Policy.
58. To adopt the Town Rules of Procedure.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Departmental Appointments for 2017

Supervisor Tessmer appointed Douglas Martindale as Town Historian, Susan Gamel as Budget Officer/Bookkeeper, and Mary Clark as Deputy Supervisor.

Town Clerk Summers appointed Joanne Kibler as Deputy Town Clerk.

Highway Superintendent Waterman appointed Mark Hobson as Deputy Highway Superintendent.

Planning Board Chairman Martin appointed Debra Martin as Planning Board Secretary.

Justice Cain appointed Karen Smith as Court Clerk.

Justice Gernatt appointed Peggy Tessmer as Court Clerk.

Resolution # 59: **AGENDA APPROVAL**

Motion made by Councilman Stelley seconded by Councilman Martin to approve the agenda as presented.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Resolution # 60: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the Monday, December 19, 2016 town board meeting.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Resolution # 61: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #23 for 2016 dated January 3, 2017 for listed vouchers # 886 – 918 for \$49,067.81:

| | | | |
|---------------------|-----------|-------------------|---------------|
| General – Townwide | 5,169.25 | Water District #1 | 17,773.43 |
| General – Part Town | 378.99 | Water District #3 | 5,437.53 |
| Highway | 19,607.88 | Water District #4 | <u>472.83</u> |
| Special Refuse | 227.90 | Total | \$ 49,067.81 |

and on abstract #1 for 2017 dated January 3, 2017 for listed vouchers # 1 – 1 for \$ 315.00:

| | | | |
|--------------------|---------------|---|--|
| General – Townwide | <u>315.00</u> | | |
| Total | \$ 315.00 | | |
| ADOPTED | Aye 5 | Vogtli, Martin, Stelley, Clark, Tessmer | |
| | Nay 0 | | |

Supervisor Tessmer read a letter received from the Association of Town regarding the upcoming Training School.

Departmental Reports

Assessor will have a report for the February meeting.

Attorney Musacchio is working with the surveyor on the town highway property.

Code Enforcement Officers submitted their annual report and.

Highway Superintendent Waterman reported they have plowed 77 times since December 5th and we have received 88" of snow. They have been making repairs and pushed the snow banks back. There was no trash day in November. One compactor and one and one half open tops were filled.

Planning Board reviewed paperwork received on the Verizon tower on Taylor Hollow Road.

Town Clerk Summers reports December sales of \$4,969.97 with the Town's portion \$4,703.84.

Water department has done three meter changes and there are about 50 left to be done.

Board Reports

Councilman Vogtli had met with the Code Enforcements Officers and the Supervisor on transfer of information and reports to the assessing office and they discussed upgrading the CEO software to integrate with the assessor's.

Councilman Martin reviewed the vouchers.

Councilman Stelley reviewed the vouchers, updated the website and did employee interviews.

Councilman Clark did employee interviews.

Supervisor Tessmer worked on the language access plan and met with Councilman Vogtli and the Code Enforcement Officers.

Old Business

1. Town Board committee and liaison appointments

Liaisons:

| | |
|--|---------------------------------------|
| Association of Erie County Governments | David Tessmer, Mary Clark (alternate) |
| Highway / Transfer | Mary Clark |
| NEST | David Tessmer |
| Rural Transit | Kenneth Martin |
| Prison Advisory | Mary Stelley, Kenneth Martin |
| Seniors | David Tessmer |
| Recreation | Mary Stelley, Mary Clark |
| Southtowns Planning & Development | David Tessmer |
| Water | David Tessmer |

Committees:

| | |
|-----------------------------|---|
| Insurance | David Tessmer, Mary Clark |
| Personnel | Mary Stelley, Mary Clark |
| Finance | Kenneth Martin, Mary Stelley |
| Codes | Kenneth Martin, Janet Vogtli, James Musacchio, Brian Martin |
| Buildings / Grounds / Parks | Kenneth Martin, David Tessmer, Becky Jo Summers, Doug Martindale |
| Workplace Violence | Mary Stelley, Mary Clark |
| Safety | David Tessmer, Janet Vogtli, Mark Hobson, Susan Gamel, Scott Martindale, Samantha D'Amato |
| IT / Website | Mary Clark, Mary Stelley |

2. Newly elected and appointed officials must complete a time log for 90 days for NYS retirement

3. Resolution to appoint Temporary PT Clerk in Assessors office – The work to be done will be done here and will sign in and out.

RESOLUTION # 62: APPOINT TEMPORARY PART TIME CLERK

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli that the following resolution is:

| | | | |
|---------|-----|---|------------------------|
| ADOPTED | Aye | 3 | Vogtli, Clark, Tessmer |
| | Nay | 2 | Martin, Stelley |

WHEREAS, the Collins Town Board approved a project in the Assessor's office to clear up records in 2017, that includes PT clerk duties, and

WHEREAS, the Town advertised to fill the Temporary PT Clerk position, and

WHEREAS, in response to this ad, the Town received 7 applications, and

WHEREAS, the Personnel Committee has interviewed all the applicants and has made a recommendation to fill the position.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins appoints Heidi Kibler to the position of Temporary PT Clerk, at a rate of pay of \$10.00 per hour - for a maximum of 200 hours in 2017, effective January 4, 2017.

New Business

1. Resolution to approve Agreement to spend highway funds

RESOLUTION # 63: **APPROVE AGREEMENT TO SPEND HIGHWAY FUNDS**

Motion made by Supervisor Tessmer and seconded by Councilman Martin that the Town Board hereby approves entering into an agreement with Peter Waterman, Highway Superintendent, for the 2017 Agreement to Spend Town Highway Funds in the Town of Collins, County of Erie, as read, and authorize the Town Board members to sign the agreement.

Councilman Vogtli asked the status of the Helmuth Dispatch final accounting from North Collins. Nothing has been received and Supervisor Tessmer will send a letter to them.

With no further business, on a motion of Councilman Stelley seconded by Councilman Vogtli the meeting was adjourned at 8:25 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 17th day of January 2017.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman

Becky Jo Summers, Town Clerk
Susan Gamel, Budget Officer
James Musacchio, Attorney

Absent: Janet Vogtli, Councilman
Others Present: None

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

A check was received from the Town of North Collins in the amount of \$ 1,507.43 which represents our portion of the fund Balance totaling \$5,276.00 of the Pay-Out of Helmuth Control. Accounting documentation dating back to the close of the 2013 year was also included.

Resolution # 64: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the agenda as presented.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Adoption of minutes was deferred until the February 6th meeting.

Resolution # 65: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #24 for 2016 dated January 17, 2017 for listed vouchers # 919 – 951 for \$31,176.83:

| | | | |
|---------------------------|-----------|-------------------|-----------------|
| General – Townwide | 4,345.85 | Special Lighting | 1,202.71 |
| General – Part Town | 516.61 | Special Refuse | 1,531.63 |
| Highway | 17,836.03 | Water District #1 | 2,028.02 |
| H13 Meter Replacement # 1 | 90.00 | Water District #3 | 684.94 |
| H14 Meter Replacement #3 | 27.60 | Water District #4 | <u>2,911.04</u> |
| H15 Meter Replacement # 4 | 2.40 | Total | \$ 31,176.83 |

and on abstract #2 for 2017 dated January 17, 2017 for listed vouchers # 2 – 21 for \$12,856.13:

| | | | |
|---------------------|----------|-------------------|--------------|
| General – Townwide | 6,491.38 | Water District #1 | 360.00 |
| General – Part Town | 301.87 | Water District #3 | <u>50.00</u> |
| Highway | 5,445.88 | Total | \$ 12,856.13 |
| Special Refuse | 207.00 | | |

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Old Business

1. Commercial Solar Local Law – The current moratorium ends March 19, 2017 and no other town has developed a local law. The Town of Sardinia is close and they will handle the 'end of life' of the equipment by having the installer post a bond.

RESOLUTION # 66: **SET PUBLIC HEARING FOR SOLAR POWER PROJECTS MORATORIUM**

Motion made by Supervisor Tessmer seconded by Councilman Clark to set a public hearing on Tuesday, February 21, 2017, at 7:30 pm, on Local Law No. 1 of 2017 - "Extend Temporary Moratorium on Commercial Solar Power Projects," and authorize publication of Hearing Notice as follows:

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL
LAW NO. 1 OF 2017 FOR THE TOWN OF COLLINS

PLEASE TAKE NOTICE that pursuant to Section 20 of the Municipal Home Rule Law, a public hearing will be held before the Town Board of the Town of Collins, New York, at the Town Hall, 14093 Mill Street, Collins, New York, on **Tuesday, February 21, 2017, at 7:30 p.m.** to consider the following:

Town of Collins Proposed Local Law No. 1 - 2017, which will extend the temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for the siting of commercial solar power projects in the Town of Collins for a period of six months from March 19, 2017, which is the expiration date of the existing moratorium set under Local Law No. 1 of 2016.

If adopted by the Town Board, this Local Law shall become effective immediately after being filed with the Secretary of State. Copies of the Proposed Local Law are available in the Collins Town Clerk's Office. All interested parties may attend and be heard.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

2. Resolution to appoint ZBA Chairman

RESOLUTION # 67: **APPOINT ZONING BOARD OF APPEALS CHAIRMAN**

Motion made by Supervisor Tessmer and seconded by Councilman Martin to appoint Thomas Raymond as Chairman of the Zoning Board of Appeals, for the remainder of his term to expire December 31, 2020.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

3. Resolution to appoint ZBA member

RESOLUTION # 68: **APPOINT ZONING BOARD OF APPEALS MEMBER**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following resolution is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, due to the relocation of one member, the Town of Collins Zoning Board of Appeals currently has one opening, and

WHEREAS, the Town advertised to fill the position, and

WHEREAS, in response to this ad the Town received one application, and

WHEREAS, the Personnel Committee has interviewed the applicant and has made a recommendation to fill the position.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins appoints Robert Hummel to the position of Zoning Board of Appeals member for a 5-year term to expire December 31, 2021.

New Business

1. Resolution to accept Supervisor's Report for December 2016

RESOLUTION # 69: **ACCEPT DECEMBER 2016 SUPERVISORS REPORT**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to accept the Town of Collins Supervisor's Report as submitted, for the month of December 2016.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

2. Resolution to allocate 2016 Excess Sales Tax Revenue

RESOLUTION # 70: **APPROVE EXCESS 2016 SALES TAX ALLOCATION TO DB FUND**

Motion made by Supervisor Tessmer seconded by Councilman Martin to allocate the excess 2016 sales tax revenue of \$78,087.84, and modify the appropriate budget line as follows:

ADOPTED DB-1120 - Non-Property Tax Distribution, increased by \$78,087.84
 Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

3. Resolution to approve budget modifications

RESOLUTION # 71: **APPROVE 2016 BUDGET MODIFICATIONS**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to approve the following 2016 Budget modifications:

A Fund:

| | | | |
|-----------------------------------|----------|---------------------------------|----------|
| <i>Transfer From:</i> | | <i>Transfer To:</i> | |
| A1620.400 Shared Svcs Contractual | \$360.00 | A1620.440 Shared Svcs Telephone | \$360.00 |

B Fund:

| | | | |
|--------------------------------------|--------|------------------------------------|--------|
| <i>Transfer From:</i> | | <i>Transfer To:</i> | |
| B8020.400 Planning Board Contractual | \$6.00 | B8020.100 Planning Board Personnel | \$6.00 |

SW3 Fund:

| | | | |
|-------------------------------|----------|-------------------------------------|----------|
| <i>Transfer From:</i> | | <i>Transfer To:</i> | |
| SW3-9055.850 Unemployment Ins | \$233.27 | SW3-9010.850 Retirement | \$233.26 |
| | | SW3-9710.651 Filtration System Bond | \$0.01 |

SW4 Fund:

| | | | |
|-------------------------------|---------|-------------------------|---------|
| <i>Transfer From:</i> | | <i>Transfer To:</i> | |
| SW4-9055.860 Unemployment Ins | \$37.68 | SW4-9010.860 Retirement | \$37.68 |

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

Workshop Topics

Supervisor Tessmer went through the 5-Year Capital Plan and discussed the potential projects for 2017.

With no further business, on a motion of Supervisor Tessmer seconded by Councilman Clark the meeting was adjourned at 8:20 pm in memory of Fran Ross who recently passed away.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 6th day of February 2017.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman

Becky Jo Summers, Town Clerk
Peter Waterman, Highway Superintendent
James Musacchio, Attorney

Absent: Janet Vogtli, Councilman

Others Present: Dick Agle; Margaret Degenfelder; Gene Degman, Code Enforcement Officer and Andrew Kuczkowski, reporter The Observer

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 72: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the agenda as presented.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 73: **MINUTES APPROVAL**

Motion made by Councilman Stelley seconded by Councilman Clark to approve the minutes of the Monday, January 3 and January 17, 2017 town board meetings.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 74: **ABSTRACT APPROVAL**

Motion by Councilman Martin seconded by Councilman Stelley that the bills be paid on abstract #25 for 2016 dated February 6, 2017 for listed vouchers # 952 – 958 for \$4,229.25:

| | | | |
|---------------------|----------|---------|-------------|
| General – Townwide | 4,153.52 | Highway | 121.33 |
| General – Part Town | 4.40 | Total | \$ 4,279.25 |

and on abstract #3 for 2017 dated February 6, 2017 for listed vouchers # 22 – 104 for \$68,310.33:

| | | | |
|---------------------|-----------|-------------------|--------------|
| General – Townwide | 21,075.73 | Water District #1 | 700.77 |
| General – Part Town | 1,073.93 | Water District #3 | 28.54 |
| Highway | 45,211.15 | Water District #4 | 65.00 |
| Special Refuse | 155.21 | Total | \$ 68,310.33 |

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Departmental Reports

Assessor's monthly report was handed out.

Code Enforcement Officers reported one permit for a pellet stove was submitted last month and requests the board have the procedure in place when a property needs to have the lawn cut and cleaned up.

Highway Superintendent Waterman reported they have plowed 110 times and we have received 152" of snow. They have been making repairs on equipment. One compactor and two open tops were filled last trash day. It will cost \$1.00 each to get rid of propane tanks from now on.

Recreation report was read by Councilman Clark.

Town Clerk Summers reports January sales of \$4,426.70 with the Town's portion \$4,322.48.

Water department reported a rotted electrical pole fell over and a new one was set. Jason Opferbeck reported the water meters have been read twice in January and the new meters, Master Link will work with our Intedata Softwater.

The GIS Mapping system of the water system was discussed.

Board Reports

Councilman Martin reviewed the vouchers and attended the Collins Center Fire Department installation banquet, building committee meeting and the Prison Advisory Board meeting.

Councilman Stelley reviewed the vouchers, updated the website and did ZBA employee interview and attended the Prison Advisory Board meeting.

Councilman Clark did ZBA employee interview.

Supervisor Tessmer attended the Assoc of EC Govt's meeting, building committee meeting and the NEST meeting. Sat in on a webinar on CEO and Assessor same database to update records. Worked on the LKP roof project paperwork and sent the MOU to DOCCS.

Old Business

- 1. Draft MOU sent to DOCCS with comments from Collins, WSA and ECHD
- 2. Update on USDA Language Access Plan – translation services and alright to use is anyone needs assistance.

New Business

1. Resolution to purchase Highway Department Tractor, Mower and Sweeper
RESOLUTION # 75: **PURCHASE HIGHWAY DEPARTMENT TRACTOR, MOWER AND SWEEPER**

Motion made by Supervisor Tessmer and seconded by Councilman Clark that the following is:

WHEREAS, in 2016 the Highway Department expressed the need for a new tractor to replace the 2002 New Holland Tractor, mower and sweeper, and

WHEREAS, to the end, the Town Board approved \$105,000.00 for this purchase in the 2017 budget, and

WHEREAS, the Highway Superintendent feels that it is in the best interest of the Town to purchase the tractor, mower, and sweeper at this time, which are available on NYS OGS contract award #PC67140 at a price of \$123,477.99, and

WHEREAS the 2002 New Holland Tractor has a current value of approximately \$20,000.00.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board approves the purchase of a 2017 John Deere 5100M Cab utility tractor from Z&M Ag and Turf also known as Land Pro, with a Tiger BB-18 Boom Mower and THS-96C Hydraulic Sweeper from Cyncon for a total cost of \$123,477.99 using the following 2017 Budget line:

DB5130.2R Highway Mechanic – Equipment: \$123,477.99, and

BE IT FURTHER RESOLVED, that the 2002 New Holland tractor, mower, and sweeper (S/N 182399B) be declared as surplus, to be sold at the Highway Superintendent's discretion through trade-in, auction, or municipal sale for a minimum of \$20,000.00.

| | | | |
|---------|-----|---|---------------------------------|
| ADOPTED | Aye | 4 | Martin, Stelley, Clark, Tessmer |
| | Nay | 0 | |

2. Resolution to award asbestos removal and air monitoring for 3585 Route 39 property
RESOLUTION # 76: **AUTHORIZE SUPERVISOR TO SIGN PROPOSALS FOR ASBESTOS REMOVAL AND MONITORING**

Motion made by Supervisor Tessmer seconded by Councilman Martin the following is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, The Town of Collins received bid proposals from Pierce Services and Northeastern Environmental Management (NEM) to remove asbestos, monitor air during removal, dispose of asbestos and complete a close-out inspection at 3585 Route 39, which has been ordered to be demolished by the Town of Collins Code Enforcement Officer , and

WHEREAS, the project costs were included the Town of Collins Capital Plan and Budget for 2017, and

WHEREAS, the Town of Collins intends to recoup the costs by placing a lien upon the real property for which such services were provided, in the 2018 Tax warrant.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the proposals from Pierce Services and NEM to complete the work at a combined cost of \$2,950.00 and

BE IT FURTHER RESOLVED that the project costs be paid for using the 2017 Budget line A8666.400 – Contractual.

With no further business, on a motion of Councilman Stelley seconded by Councilman Martin the meeting was adjourned at 8:32 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 21st day of February 2017.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Janet Vogtli, Councilman

Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
Susan Gamel, Budget Officer
James Musacchio, Attorney

Others Present: Jerry Hager; Margaret Degenfelder; Gene Degman, Code Enforcement Officer and Jeanne Ebersole, Assessor

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 77: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the agenda after adding a resolution to approve the 2016 Budget Transfers and Modifications.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 78: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the February 6, 2017 town board meeting.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Abstained 1 Vogtli
Nay 0

Resolution # 79: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #26 for 2016 dated February 21, 2017 for listed vouchers # 959 for \$106.88:

| | |
|--------------------|-----------|
| Water District # 1 | 106.88 |
| Total | \$ 106.88 |

and on abstract #4 for 2017 dated February 21, 2017 for listed vouchers # 105 – 138 for \$84,574.12:

| | | | |
|---------------------|-----------|-------------------|--------------|
| General – Townwide | 45,461.10 | Water District #1 | 1,369.04 |
| General – Part Town | 1,309.29 | Water District #3 | 236.90 |
| Highway | 32,689.61 | Water District #4 | 5.70 |
| Special Lighting | 1,174.88 | Total | \$ 84,574.12 |
| Special Refuse | 2,327.60 | | |

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

Old Business

1. Resolution needed to accept GPS mapping proposal for Collins water districts

Resolution # 80: **ACCEPT GPS MAPPING PROPOSAL FOR COLLINS WATER DISTRICTS**

Motion made by Supervisor Tessmer seconded by Councilman Clark the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

WHEREAS, the Town of Collins has identified the need for accurate GPS-based digital mapping of the Towns Water Districts, and included it in the Capital Plan for 2017, and

WHEREAS, New York Rural Water, a not-for-profit organization that assists in the formation and operation of **rural water** and wastewater systems provides this service to municipalities in New York state, and

WHEREAS, NY Rural Water submitted a quote to provide customized digital on-line mapping of all Town water mains, valves, hydrants and curb stops, including a one year subscription to DiamondMaps.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins accept the professional service cost proposal from New York rural Water Association to complete the Collins Water District GPS mapping, at a cost of \$5,640.00, and

BE IT FURTHER RESOLVED that the Town Board authorizes up to two annual subscriptions for the on-line service after the initial DiamondMaps subscription expiration date.

2. ECEMC Appointment – Supervisor Tessmer has been the liaison in this position and asked if anyone would like to take over. Since no one volunteered, Mr. Tessmer will continue for another two-year term. Board members stated if he could not make a meeting they would try to fill in for him.

New Business

1. Resolution to accept Court Clerk resignation

RESOLUTION # 81: **ACCEPT PEGGY TESSMER'S RESIGNATION AS COURT CLERK**

Motion made by Councilman Clark and seconded by Councilman Stelley to accept with regret, the resignation of Peggy Tessmer as Court Clerk, effective May 31, 2017.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

2. Resolution to advertise for Court Clerk

RESOLUTION # 82: **ADVERTISE FOR COURT CLERK**

Motion made by Councilman Clark seconded by Councilman Martin the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, due to the resignation of one of the Town of Collins Court Clerks, effective May 31, 2017, it is necessary to advertise for qualified applicants.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board approve the placement of the following advertisement in the *Gowanda Pennysaver and News* the week of March 4, 2017, for the purpose of identifying candidates for the Court Clerk position:

Town of Collins is accepting applications for Court Clerk
Must be available weekday evenings
Candidates must have computer and accounting knowledge,
a clean criminal record and good communication skills
Applications available at the town clerk's office or at townofcollins.com
and must be received by March 24, 2017, at 5:00 pm
Preference given to town of Collins residents

3. Resolution to approve 2016 budget transfers and modifications

RESOLUTION # 83: **APPROVE 2016 BUDGET TRANSFERS & MODIFICATIONS**

Motion made by Supervisor Tessmer, seconded by Councilman Clark that the following 2016 Budget Transfers & Modifications are adopted:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Budget Transfers

A Fund:

| | | | |
|--|----------|--|----------|
| Transfer From: | | Transfer To: | |
| A1940.400 Finance – Contingency | \$166.28 | A1340.100 Budget Officer – Personal Svcs. | \$166.28 |
| A5132.430 Highway Heat | \$77.37 | A5132.440 Highway Telephone | \$77.37 |
| A7620.400 – Sr Citizens Contractual (CC) | \$116.48 | A7620.410 Sr. Citizens Contractual (LKPCC) | \$116.48 |

DB Fund:

| | | | |
|-------------------------------------|-------------|--------------------------------------|-------------|
| Transfer From: | | Transfer To: | |
| B5110.400 Hwy Part Town – Contractl | \$14,739.31 | DB5130.400 Hwy Mechanic – Contractl | \$1,102.61 |
| | | DB5142.402 Snow Contractl – Gas | \$149.88 |
| | | DB5142.403 Snow Contractl – Salt | \$1,996.20 |
| | | DB5148.402 Snow C – Contractl – Gas | \$273.46 |
| | | DB5148.403 Snow C – Contractl – Salt | \$11,217.16 |

SW1 Fund:

| | | | |
|--------------------------------------|------------|-------------------------|------------|
| Transfer From: | | Transfer To: | |
| SW1 8310.121 Water Admin – Personnel | \$1,590.43 | SW1 9010.810 Retirement | \$1,551.93 |
| | | SW1 9040.810 Comp Ins | \$38.50 |

SW3 Fund:

| | | | |
|--------------------------------------|----------|-------------------------|----------|
| Transfer From: | | Transfer To: | |
| SW3 8310.125 Water Admin - Personnel | \$625.33 | SW3 9010.850 Retirement | \$625.33 |

SW4 Fund:

| | | | |
|---|---------|---------------------------|---------|
| Transfer From: | | Transfer To: | |
| SW4 8310.426 Water Admin – Collect of Bills | \$68.24 | SW4 9010.426 Retirement | \$54.38 |
| | | SW4 9040.860 Workers Comp | \$14.36 |

| | | | |
|--------------------------|------------|---|------------|
| Increase Revenue: | | | |
| SW4 2140.610 Water Rents | \$1,720.35 | SW4 8320.426 Source of Sply/Pwr Water Purch | \$1,720.35 |

Transfers to Reserve:

| Fund | Budgeted: | Transfer from: | To: |
|-----------|---------------|--------------------------------------|-----------------------|
| A | \$ 50,000.00 | A9950.900 Transfer to Reserve | A230 Capital Reserve |
| B | \$ 2,250.00 | B9950.900 Transfer to Reserve | B202 Capital Reserve |
| B | \$ 250,000.00 | B9950.800 Capital Reserve | B202 Capital Reserve |
| DB | \$ 200,000.00 | DB9950.900 Transfer to Reserve | DB202 Capital Reserve |
| SR | \$ 50,000.00 | SR8160.240 Refuse Garbage to Reserve | SR230 Capital Reserve |

Public Hearing on Local Law No 1 of 2017 – Commercial Solar Moratorium Extension

RESOLUTION # 84: OPEN PUBLIC HEARING ON LOCAL LAW NO. 1 OF 2017 TO EXTEND MORATORIUM ON COMMERCIAL SOLAR PROJECTS

Motion made by Supervisor Tessmer, seconded by Councilman Martin to open public hearing at 7:34 pm on Local Law # 1 of 2017 at 7:30 pm to extend the 6-month moratorium on commercial solar projects.

| | | | |
|---------|-----|---|---|
| ADOPTED | Aye | 5 | Vogtli, Martin, Stelley, Clark, Tessmer |
| | Nay | 0 | |

Supervisor Tessmer declared the public hearing open and read the notice of public hearing.

PLEASE TAKE NOTICE that pursuant to Section 20 of the Municipal Home Rule Law, a public hearing will be held before the Town Board of the Town of Collins, New York, at the Town Hall, 14093 Mill Street, Collins, New York, on **Tuesday, February 21, 2017, at 7:30 p.m.** to consider the

following:

Town of Collins Proposed Local Law No. 1 - 2017, which will extend the temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for the siting of commercial solar power projects in the Town of Collins for a period of six months from March 19, 2017, which is the expiration date of the existing moratorium set under Local Law No. 1 of 2016.

If adopted by the Town Board, this Local Law shall become effective immediately after being filed with the Secretary of State. Copies of the Proposed Local Law are available in the Collins Town Clerk's Office. All interested parties may attend and be heard.

Supervisor Tessmer declared the public hearing open and asked if anyone wishes to speak for or against the local law.

Jerry Hager asked what is the path to get out of the moratorium; are there other towns working on this that we can share information with. He is involved with a company that has developed a grid to be community shared. Mr. Tessmer stated we are in the process to draft a law that will protect all and that is good for us. Mr. Hager asked if we have a professional to consultant with to do the law. Mr. Tessmer stated not at this time we are working internally and have a problem of how to handle the 'end-of-life' of the system. Our goal is to have the law done within six months. Councilman Vogtli asks what happens in six months if we do not have the law completed. Mr. Tessmer stated the feeling of this board is to have the law in place in that time. A few towns have put up a bond to take care of the 'end-of-life', but we were told this cannot be done. Maybe we should bring a panel company in to talk with us. Councilman Martin stated we should be able to get a legal opinion on it.

Supervisor Tessmer asked if anyone else wishes to be heard so the public hearing was closed.

RESOLUTION # 85: CLOSE PUBLIC HEARING ON LOCAL LAW NO. 1 OF 2017 TO EXTEND MORATORIUM ON COMMERCIAL SOLAR PROJECTS

Motion made by Supervisor Tessmer and seconded by Councilman Stelley to close the Public Hearing on Local Law No. 1 of 2017 to extend the 6-month moratorium on commercial solar projects, at 7:46 PM.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

RESOLUTION # 86: ADOPT LOCAL LAW NO. 1 OF 2017 TO EXTEND MORATORIUM ON COMMERCIAL SOLAR PROJECTS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to adopt Local Law No. 1 of 2017 to extend the temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for the siting of commercial solar power projects in the Town of Collins for a period of six months from March 19, 2017, which is the expiration date of the existing moratorium set under Local Law No. 1 of 2016.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 1 Vogtli

Workshop Topics

1. Request for proposal – demolition of a building was gone over. The Town's address and telephone number will be put on the request and a deadline for having the work done should also be included. If this form is approved it can be used for the Gowanda Zoar Road property to be demolished.

2. Mowing request for proposal and bidder's questionnaire were gone over. This is being done to have someone on board when and if they are needed. The request explains our procedure to be followed. Supervisor Tessmer will contact surround towns for a list of people they use.

3. CEO and Assessor Software for integrated property system – This software would allow

information shared between offices be kept up to date. Each office would have write-only capabilities of their information. Other offices will be able to read-only all entries. To be able to do this we would have to have a server in the Town Hall for all computers except the Court; they are a stand-alone system. We will have to look into getting grant money for this project. We have received a quote on both of these systems totaling \$19,564.82 of which we do not have in the budget.

4. Bid package for the LKP roof project will be done in-house. The spec package from the last time the roof was done will be used.

5. Maple/Mildred drainage study – shows a lot of issues of drainage in the area. Supervisor Tessmer will contact Bill Schutt to put together an RFP.

With no further business, on a motion of Councilman Martin seconded by Councilman Clark the meeting was adjourned at 8:47 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 6th day of March 2017.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Janet Vogtli, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Others Present: Margaret Degenfelder; Dick Agle; Mark Halloran; Jerry Kwiatkowski; Gene Degman, Code Enforcement Officer and Jason Opferbeck

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 87: **AGENDA APPROVAL**

Motion made by Councilman Martin seconded by Councilman Clark to approve the agenda as presented.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 88: **MINUTES APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the minutes of the February 21, 2017 town board meeting.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 89: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #5 for 2017 dated March 6, 2017 for listed vouchers # 139 – 176 for \$ 272,430.60:

| | | | |
|-------------------------|------------|-------------------|---------------|
| General – Townwide | 11741.63 | Special Lighting | 25,725.00 |
| General – Part Town | 403.80 | Special Refuse | 2,006.99 |
| Highway | 12,878.16 | Water District #1 | 633.87 |
| Collins Fire District | 197,077.45 | Water District #3 | 351.60 |
| Rosenburg Fire District | 20,546.00 | Water District #4 | 0.84 |
| Emergency Svs Dispatch | 1,065.26 | Total | \$ 272,430.60 |

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

Public Access

Mark Halloran, Chairman of the Fire District stated the fire companies have approached him regarding some dispatch problems. The Fire Chiefs would like to be involved in any contract talks and would like to have a workshop for fire people and the Town Board. The Rosenberg contract is up this year and it could be discussed at the meeting.

Reports of Department Heads

Assessor - Supervisor Tessmer read the report.

Attorney Musacchio set a public hearing of the ZBA for March 27th for the cemetery variance and found more information on solar laws.

CEO – submitted his monthly report.

Highway – Supervisor Tessmer read the report.

Town Clerk reported February sales of \$4,097.35 with the Town's portion \$3,498.32. Taxes collected so far \$ 1,108,973.74.

Water – Jason Opferbeck reported they read meters the other day and have 40 – 50 with issues. Nine meters have been changed recently. Joe DeCarlo brought in a new filter (for comparison) and a three month old filter which is brown. Jason reported we have safe quality drinking water.

We have a well, pump water, put chlorine into it, put in the tank and put out to the residents. There still are elements in the water. In Collins Center they have filtration and a sediment tank.

Board Reports

Councilman Vogtli is working with the Assessor.

Councilman Martin reviewed the vouchers, attended the Collins Fire Department Banquet and the building committee meeting, Rural Transit Annual meeting.

Councilman Stelley reviewed the vouchers, updated the website and attended the Collins Fire Department Banquet.

Councilman Clark answered some questions and attended the Collins Fire Department Banquet.

Supervisor Tessmer attended the Southtowns Community Enhancement meeting, Assoc of EC Gov'ts meeting, press conference on a new consolidation plan, the building committee meeting, worked on bid packages for the demos and attended the Collins Fire Department Banquet.

Old Business

1. Resolution to appoint 2017 Liberty Fest committee

RESOLUTION # 90: **APPOINT 2017 LIBERTY FEST COMMITTEE**

Motion made by Councilman Clark seconded by Supervisor Tessmer the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins is interested in promoting an atmosphere of sociability among the residents of the Town, and

WHEREAS, to this end, since 2011 the Town has sponsored the Liberty Fest, which has been well-received by the community, and

WHEREAS, the Town wishes to once again provide the residents with a similar opportunity to enjoy this recreational event and has budgeted \$5,000.00 of unreimbursed Town funds for it.

NOW THEREFORE BE IT RESOLVED that Mary Stelley and Mary Clark be designated co-chairs of the Liberty Fest Committee, with the authority to spend funds allocated to this celebration in the 2017 budget and any funds expected to be raised by select events.

2. Resolution to advertise for demolition bid

RESOLUTION # 91: **TO ADVERTISE FOR BIDS FOR 2296 GOWANDA ZOAR ROAD PROPERTY DEMOLITION**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to advertise the following notice to bidders in the Dunkirk Observer, on Sunday, March 12, 2017, and bids to be received by 4:00 PM on March 31, 2017, at the office of the Collins Town Clerk.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Notice to bidders demolition of building located at
2296 Gowanda Zoar Road, Town of Collins, New York

Sealed bids for the proposed demolition of building located at 2296 Gowanda Zoar Road in the Town of Collins will be received by the Town Clerk at her office located in Town Hall, 14093 Mill Street, Collins, New York 14034 on or before 4:00 P.M. local time on the 31st day of March, 2017. Contractors are invited to be present at the Town Clerk's office on Monday, April 3, 2017 at 10:00 A.M., at which time they will be publicly opened and read aloud. The project includes the complete demolition and removal of the building and all debris located at 2296 Gowanda Zoar Road, Collins, NY 14034.

Project Specifications for the demolition may be obtained or examined at the Collins Town Hall between the hours of 9:00 A.M. and 1:00 P.M., or 2:00 P.M. and 5:00 P.M., except Saturdays, Sundays and Holidays, and are available at Townofcollins.com.

Each bid proposal shall be submitted in a sealed envelope, clearly marked "**BUILDING DEMOLITION BID (2017-2)**".

The Town reserves the right to reject any and all bids, to consider the reputation and experience of any bidders in making its selection, to waive any informalities or minor deviations from the specifications, and to award the contract to other than the lowest bidder, if considered to be in the best interest of the Town of Collins. All bids shall be submitted intact on bidding form available for that purpose and addressed to: Becky Jo Summers, Collins Town Clerk, 14093 Mill Street, Collins, New York 14034

New Business

1. Resolution to appoint Park Crew Chief

RESOLUTION # 92: **APPOINT PARK CREW CHIEF**

Motion made by Councilman Clark seconded by Councilman Martin the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins maintains Town Parks and other properties, and
WHEREAS, the existing Park Crew Chief (PT), who oversees the maintenance of properties and supervises the Summer Beautification program has vacated the position, and

WHEREAS, Mike Naples, who has worked with the Beautification program for two years, is experienced with the maintenance program, and is highly recommended by his supervisors, and

WHEREAS, it is in the best interest of the Town to promote from within when practical.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board approves the promotion of Mike Naples to Park Crew Chief (PT), at an hourly rate of \$14.42 per hour, up to 19 hours per week, effective March 7, 2017.

2. Resolution to advertise for Summer Beautification employees

RESOLUTION # 93: **APPROVE AD FOR SUMMER BEAUTIFICATION EMPLOYEES**

Motion made by Supervisor Tessmer, seconded by Councilman Martin to approve placing the following ad in the Gowanda Press and Springville Journal for the weeks of March 11 and 18, 2017, with a deadline of April 7, 2017, at 4:00 pm, for summer beautification employees:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Summer Jobs:

The Town of Collins is accepting applications for
Seasonal Beautification Laborers @ \$9.70 per hour
Positions are open to all residents 18 and over.
Applications are available at the Town Clerk's office
and must be returned by April 7, 2017 at 4:00 PM.
Preference given to Town of Collins residents.

3. Resolution to allow the Collins Fire Company use of the LKPCC lot

RESOLUTION # 94: **ALLOW USE OF LKPCC PARKING LOT**

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the Board allows the Collins Fire Company to use the LKPCC parking lot on Friday, March 17, 2017 for overflow parking for their Corned Beef and Cabbage Dinner.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

With no further business, on a motion of Councilman Clark seconded by Councilman Stelley the meeting was adjourned at 8:20 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 20th day of March 2017.

Present: David Tessmer, Supervisor Kenneth Martin, Councilman
Mary Stelley, Councilman Becky Jo Summers, Town Clerk
Mary Clark, Councilman James Musacchio, Attorney

Absent: Janet Vogtli, Councilman

Others Present: Margaret Degenfelder; Dick Agle

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 95: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the agenda as presented.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 96: **MINUTES APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the minutes of the March 6, 2017 town board meeting.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 97: **ABSTRACT APPROVAL**

Motion by Councilman Martin seconded by Councilman Stelley that the bills be paid on abstract #6 for 2017 dated March 20, 2017 for listed vouchers # 177 – 200 and 202 - 215 for \$ 31,112.34:

| | | | |
|-------------------------|-----------|-------------------|--------------|
| General – Townwide | 5,859.86 | Special Refuse | 363.84 |
| General – Part Town | 584.18 | Water District #1 | 1,509.85 |
| Highway | 22,395.11 | Water District #3 | 352.48 |
| Rosenburg Fire District | 18.14 | Water District #4 | 0.67 |
| Special Lighting | 24.81 | Total | \$ 31,112.34 |
| Emergency Svs Dispatch | 3.40 | | |

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

New Business

1. Resolution to advertise for Summer Recreation Staff

RESOLUTION # 98: ADVERTISE FOR SUMMER YOUTH RECREATION STAFF

Motion made by Councilman Clark seconded by Councilman Martin the following is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

WHEREAS, the Town of Collins provides Recreational Services to the Youth of the Town, and
WHEREAS, the Summer Recreation program requires a Recreation Supervisor and Recreation Attendants to oversee the activities of the participants.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Town Clerk to place the following ad for these positions in the Gowanda Press, and the Springville Journal, to run for one printing each the weeks of March 24, 2017 and March 31, 2017, and shall require that all applications be delivered to the Collins Town Clerk no later than 4:00 p.m., Friday, April 7, 2017.

SUMMER JOBS

The Town of Collins is accepting applications for the following summer positions:

- SUMMER RECREATION ATTENDANTS @ \$9.70 per hour &
- RECREATION SUPERVISOR @ \$12.36 per hour

These positions are open to all area
Must be High school graduate by June 30, 2017.

- Preference to Town of Collins residents
- Applications are available Mon.-Fri. at the Collins Town Hall, 14093 Mill St., during normal business hours, or on the Town Website (www.townofcollins.com)
- Applications will be accepted until April 7, 2017 at 4 p.m.

2. Resolution to set date for 2017 Liberty Fest

RESOLUTION # 99: **SET DATE FOR 2017 LIBERTY FEST**

Motion made by Councilman Clark, seconded by Councilman Stelley that the following is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins, at its last meeting (3/6/17) resolved that Mary Stelley and Mary Clark co-chair the 2017 Liberty Fest Committee, and

WHEREAS, that Resolution did not set the date of the 2017 Liberty Fest, as the committee had not as yet met, and

WHEREAS, the Committee met on March 12, 2017, and recommended setting the date for the Liberty Fest to be held, as well as a rain date for the fireworks only.

NOW THEREFORE, BE IT RESOLVED that the date on which the 2017 Liberty Fest will be held is Saturday, July 1, 2017, with a rain date for fireworks only of Saturday, July 8, 2017.

Workshop Topics

1. Proposed Official Town of Collins Zoning Map - Councilman Martin went through the proposed changes to the map. To update the map we would have to send the changes to the neighboring towns and to Erie County.

2. Project updates -

- a. demo bids are completed and sent out
- b. asbestos work on 3585 Route 39 will be done March 29 – 31
- c. solar law samples have been given out
- d. Rosenberg Fire District contract is up this year
- e. Supervisor Tessmer is meeting with computer techs regarding the server
- f. LKP roof project is being worked on

With no further business, on a motion of Councilman Clark seconded by Councilman Martin the meeting was adjourned at 8:00 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 3rd day of April 2017.

Present: David Tessmer, Supervisor Becky Jo Summers, Town Clerk
 Mary Stelley, Councilman Susan Gamel, Budget Officer
 Kenneth Martin, Councilman

Absent: Mary Clark, Councilman, Janet Vogtli, Councilman

Others Present: Margaret Degenfelder; Dick Agle; Doug Martindale and Andrew Kuczkowski, The observer reporter

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 100: **AGENDA APPROVAL**

Motion made by Supervisor Tessmer seconded by Councilman Martin to approve the agenda as presented.

ADOPTED Aye 3 Martin, Stelley, Tessmer
 Nay 0

Resolution # 101: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the March 20, 2017 town board meeting.

ADOPTED Aye 3 Martin, Stelley, Tessmer
 Nay 0

Resolution # 102: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #7 for 2017 dated April 3, 2017 for listed vouchers # 216 - 251 for \$ 47,650.47:

| | | | |
|---------------------|-----------|-------------------|--------------|
| General – Townwide | 9,711.71 | Water District #1 | 18,038.42 |
| General – Part Town | 758.74 | Water District #3 | 5,518.84 |
| Highway | 12,478.82 | Water District #4 | 479.89 |
| Special Refuse | 664.05 | Total | \$ 47,650.47 |

ADOPTED Aye 3 Martin, Stelley, Tessmer
 Nay 0

Reports of Department Heads

Code Enforcement received one permit from the Collins Center Fire Department for the demolition of the house they purchased behind the fire hall.

Highway Superintendent Waterman reported they have had a number to repairs done to the equipment. The Transfer Station report stated one compactor bin, two open tops and one scrap steel were filled.

Recreation - The winter program ended Saturday, April 1st and the summer program will start in July.

Planning Board has been going over the zoning maps of the town.

Town Clerk reported sales of \$4,374.50 with the town's portion \$3,733.36. \$1,945,151.00 in taxes has been received and we will continue to accept payments until June 30, 2017.

Reports of Board and Committees

Councilman Martin reviewed the vouchers.

Councilman Stelley reviewed the vouchers, updated the website and attended the liberty fest meeting.

Supervisor Tessmer met with the Zoning Board of Appeals before their recent public hearing, updated the board on lawn mowing and put a request for proposal on the website and opened

the demolition bids on 2296 Gowanda Zoar Road property.

Old Business

1. Resolution to award demolition contract for 2296 Gowanda Zoar Road property - four bids were received on time and one was received late.

Resolution # 103: **AWARD BID FOR DEMOLITION OF 2296 GOWANDA ZOAR ROAD PROPERTY**

Motion made by Supervisor Tessmer, seconded by Councilman Martin that the following is:

ADOPTED Aye 3 Martin, Stelley, Tessmer
 Nay 0

WHEREAS, the Town solicited bids for the demolition and removal of the abandoned building at 2296 Gowanda Zoar Road, and

WHEREAS, Sealed bid were received by March 31, 2017 at 4:00 PM, and opened on April 3, 2017, at 10:00 AM, and

WHEREAS, four qualified contractors submitted bids for the project, and

WHEREAS, the lowest responsible bidder meets the terms and conditions of the project requirements.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the demolition and removal of the building at 2296 Gowanda Zoar Road to Pierce Services, Inc., of Fredonia New York, for the lump sum amount of \$7,950.00, and authorize the Supervisor to sign the contract.

2. Discussion on DOCCS Memorandum of Understanding

DOCCS returned the MOU reversing all of the changes that were sent to them. The State is to pay and do the testing and we are to take possession after that is all done. If there is incidental usage there would be no bill, but if over 12,000 gallons a bill would be generated.

New Business

2017 Liberty Fest will be held on Saturday, July 1st with many of the same vendors back. There will be one band, NY Rockin Review. A donation has been received towards the fireworks and there will be an additional five minutes. No chicken bbq this year; but there will be food.

With no further business, on a motion of Councilman Stelley seconded by Councilman Martin the meeting was adjourned at 8:18 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 17th day of April 2017.

Present: David Tessmer, Supervisor
 Mary Stelley, Councilman
 Janet Vogtli, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Karl Simmeth NYS Assembly; Brian Martin, Planning Board Chairman and Andrew Kuczkowski, The Observer reporter

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 104: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Martin to approve the agenda as presented.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Resolution # 105: **MINUTES APPROVAL**

Motion made by Supervisor Tessmer seconded by Councilman Martin to approve the minutes of the April 3, 2017 town board meeting.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0
 Abstained 1 Vogtli

Resolution # 106: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #8 for 2017 dated April 17, 2017 for listed vouchers # 252 - 287 for \$ 101,074.31:

| | | | |
|----------------------|-----------|-------------------|-----------------|
| General – Townwide | 5,377.61 | Special Lighting | 1,017.15 |
| General – Part Town | 2,476.63 | Special Refuse | 102.71 |
| Highway | 3,449.12 | Water District #1 | 27,300.85 |
| Meter Replacement #1 | 3,019.65 | Water District #3 | 15,932.12 |
| Meter Replacement #2 | 926.03 | Water District #4 | <u>2,516.92</u> |
| Meter Replacement #3 | 80.52 | Total | \$ 101,074.31 |
| Library Fund | 38,875.00 | | |

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Karl Simmeth of NYS Assemblyman David DiPietro's office reported the assemblyman is back in office and the budget passed. We will be kept informed of how the budget will impact us; the small towns.

The Gowanda Penny Saver office in Gowanda has been closed.

The drinking fountain in the Collins Center Park has been removed after it had been vandalized twice.

Old Business

1. Update on demolition work – the bid has been awarded on 2296 Gowanda Zoar Rd and there is a structural problem at 3585 Route 39.

2. Discussion on vacant caretaker position – we received two applicants when the position was advertised for and one was looking for a full-time position. Another application was received after

the deadline. The person hired has left employment. Consensus of the board is to interview this third applicant.

3. Resolution of support for Erie County Town Clerks & Tax Collectors Association.

Resolution # 107: **SUPPORT FOR ERIE COUNTY TOWN CLERKS & TAX COLLECTORS ASSOCIATION**

Motion made by Councilman Vogtli, seconded by Councilman Clark that the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Erie County Town Clerks and Tax Collectors Association has been in existence for 50 years, marking that anniversary this year, and

WHEREAS, Erie County is comprised of 25 Towns, 13 being Towns of the First Class, defined as a town with a population of more than 10,000 – which are the Towns of Alden, Amherst, Aurora, Cheektowaga, Clarence, Evans, Elma, Grand Island, Hamburg, Lancaster, Orchard Park, Tonawanda and West Seneca, and 12 being Towns of the Second Class, which is defined as a town with a population of less than 10,000 – which are the following Towns of Boston, Brant, Colden, Collins, Concord, Eden, Holland, Marilla, Newstead, North Collins, Sardinia and Wales, and

WHEREAS, Erie County Real Property Tax Services prepares and prints the bills to be distributed to all 25 Towns in Erie County for Town and County Taxes and School Taxes, and

WHEREAS, according to the Erie County Tax Act, being Chapter 812, Laws of 1942, Town and County Taxes in the Towns of the First Class are due and payable on February 15th of every year, with a penalty schedule as follows: if paid on February 16th and before March 1st -- 1.5%, if paid on March 1st and before March 16th -- 3%, if paid March 16th and before April 1st -- 4.5%, if paid April 1st and before April 16th -- 6%, if paid on April 16th and before May 1st -- 7.5%, and

WHEREAS, according to the Erie County Tax Act, being chapter 812, Laws of 1942, Town and County taxes in the Towns of the Second Class are due and payable on March 15th of every year, with a penalty schedule as follows: if paid on March 16th and before May 1st -- 7.5% shall be added. The Towns of the Second Class are penalized 7.5% the day after the due date of taxes (March 15th), while the Towns of the First Class are not penalized 7.5% until 2 ½ months after the due date, and

WHEREAS, the Town Clerks and Tax Collectors in Towns of the Second Class in Erie County are requesting that the Erie County Tax Act Laws of 1942 be amended to give relief from the excessive penalty schedule to the taxpayers in those Towns, and that the same penalty schedule and due dates for Town and County taxes of the Towns of the First Class be used for all towns in Erie County, namely that Town and County taxes be due and payable on February 15th, and

WHEREAS, the schedule for the School Tax collections is uniformly due and payable on October 15th for all towns in Erie County and does not create an inconvenience for the County of Erie Real Property Tax Services to prepare.

NOW, THEREFORE, BE IT RESOLVED that the Town of Collins hereby supports the Erie County Town Clerks and Tax Collectors Association's request that the Erie County Legislature, the Director of Real Property Tax Services Erie County, the County Executive and the County Attorney take appropriate action to correct the existing disparity which unfairly penalizes taxpayers in smaller communities in Erie County, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to John Mills; Chairman of the Erie County Legislature, Joseph Maciejewski; Director of Erie County Real Property Tax Services; Mark Poloncarz, Erie County Executive; Michael Siragusa, Erie County Attorney, the Association of Erie County Governments, and Supervisors of Erie County Towns of the Second Class.

New Business

1. Resolution on Zoning Board of Appeals Education Credits - The chairman of the ZBA asked to take different training from the Houghton seminar. Councilman Martin reported it appears this training is for someone seeking to obtain a license including how to learn to wire right and the theory of how solar panels work.

Supervisor Tessmer read that the municipalities are given wide latitude of what training will be acceptable.

RESOLUTION # 108: **ALLOW ZBA CHAIRMAN TO ATTEND CLASS ON SOLAR ENERGY INSTALLATIONS**

Motion made by Supervisor Tessmer, seconded by Councilman Vogtli that the following is:

ADOPTED Aye 4 Vogtli, Stelley, Clark, Tessmer
 Nay 1 Martin

WHEREAS, Town Zoning Board of Appeals members are required to receive four hours of annual training, and

WHEREAS, the Town Board defines acceptable training, and

WHEREAS, the ZBA members usually attend the Southern Tier West Local Government Conference in Houghton, and

WHEREAS, the Chairman of the ZBA has requested to attend an 8-hour course on Solar Installations offered by Structure Smart.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the ZBA Chairman to attend the Structure Smart course on Solar Installations on June 9, 2017, in Albion New York, at a cost of \$119.00 to be paid by the Town .

Workshop Topics

1. Proposed sign regulation update – Supervisor Tessmer went over the handout. He stated he received input from Brian Martin, Planning Board Chairman and Gene Degman, Code Enforcement Officer and will continue working on it.

2. Transfer Station – trash day policy – Over a three year span approximately 28 ton of trash per month has been generated costing the town about \$8,000.00. Supervisor Tessmer went through proposed trash day regulations setting a permit fee per vehicle. These permits would be purchased at the Town Clerk's office. The only issue at the transfer station is the multiple truckloads of mattresses brought in by one business. Would it be worth it to talk with them about bringing only one set per trash day? All items brought into the transfer station are to be 'generated' in the Town. Councilman Vogtli thought they do not take old mattresses when new one are purchased. Supervisor Tessmer will talk with the transfer station attendants and Highway Superintendent and then will meet and talk with the owners.

Also, some farmers bring in a lot of plastic that cannot be recycled. One now has a dumpster to get rid of the plastic.

3. Councilman Vogtli is trying to reach out to Verizon on the poor reception from the new tower.

With no further business, on a motion of Councilman Stelley seconded by Councilman Martin the meeting was adjourned at 8:35 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of May, 2017.

Present: David Tessmer, Supervisor Peter Waterman, Highway Superintendent
 Mary Stelley, Councilman Becky Jo Summers, Town Clerk
 Mary Clark, Councilman Susan Gamel, Bookkeeper
 Janet Vogtli, Councilman James Musacchio, Attorney
 Kenneth Martin, Councilman

Others Present: Taylor Glass; Kimberly Glass; Hon Brian Gernatt; Dick Clark; Jason Opferbeck; Dick Agle and Doug Martindale

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 109: **AGENDA APPROVAL**

Motion made by Councilman Vogtli seconded by Councilman Clark to approve the agenda as presented.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Resolution # 110: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the April 17, 2017 town board meeting.

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

Resolution # 111: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #9 for 2017 dated May 1, 2017 for listed vouchers # 288 - 326 for \$ 44,042.92:

| | | | |
|---------------------|---|-------------------|--------------|
| General – Townwide | 15,841.54 | Water District #1 | 202.22 |
| General – Part Town | 462.13 | Water District #3 | 84.76 |
| Highway | 26,061.13 | Water District #4 | 0.85 |
| Special Refuse | 1,390.29 | Total | \$ 44,042.92 |
| ADOPTED Aye 5 | Vogtli, Martin, Stelley, Clark, Tessmer | | |
| Nay 0 | | | |

Reports of Department Heads

Assessor Ebersole– April has been busy with updating the tax roll.

Attorney Musacchio has been working on the finance option on the roll-off truck purchase and the purchase of the lawn mower.

Code Enforcement Officer has been in contact with a resident and she will be taking care of her property. While she was away a company was supposed to take care of her property and did not.

Highway Superintendent Waterman reported they have swept the roads, hauled stone for chipping, working on the equipment, replacing street signs and fixing road-side repairs.

The Transfer Station report – one compactor and four open tops were used and reported on purchasing the new roll-off truck

Parks – mowing has started and the portables and garbage cans have been put out in the parks.

Town Clerk Summers reported April sales of \$4,050.14 with the town's portion \$3,447.44.

Water – Jason Opferbeck reported 14 UFPO's and 14 work orders were completed; worked at the lagoon; Collins Center Park water fountain was vandalized twice so it was taken out and would like to schedule and approve line flushing the beginning of June.

RESOLUTION # 112: APPROVE PURCHASE OF 2017 MACK ROLL-OFF TRUCK

Motion made by Supervisor Tessmer seconded by Councilman Vogtli the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins operates a Solid Waste Transfer station that serves all Town residents within that taxing district, and

WHEREAS, part of the equipment owned by the Town of Collins to operate the Transfer Station includes a 1995 tandem-axle Mack truck equipped with a roll-off chassis, and

WHEREAS, on April 18, 2017, that truck suffered a failure of the A-frame that is cost-prohibitive to repair to NYSDOT standards, and

WHEREAS, the 2017 Budget line SR230 – Capital Reserve has \$203,936.59, and the State Contract pricing for a replacement truck is \$163,200.00, and

WHEREAS, pursuant to Section 6-c of the General Municipal Law, the Town Board of the Town of Collins established a Capital Reserve Fund to finance the cost of the acquisition of Transfer Station equipment; and

WHEREAS, Buffalo Trucks has a financing program that will allow us to purchase the truck now with no money due for 12 months, then five annual payments at 3.30% APR, with no pre-payment penalty, and

WHEREAS, taking advantage of this financing program would allow for the purchase of the replacement truck immediately, save private hauling fees, and allow the Town Board to designate the funds in the 2018 Budget to pay the balance including accrued interest, and one-time document fee, for a total of \$168,993.64.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the expenditure, and authorizes the supervisor to sign the contract with Buffalo Trucks, 271 Dingens Street, Buffalo, NY 14206 for Financing Option 3.

Attorney Musacchio left the meeting at 7:58 pm.

Reports of Board and Committees

Councilman Vogtli requests the Supervisor send a letter to Erie County to Charles Sickler and cc all board members regarding the condition of our County roads and she will follow up with the news media. Mrs. Vogtli and Assessor Ebersole spent many hours checking building permits because many properties do not have house numbers.

Councilman Martin reviewed the vouchers, attended the building committee meeting and the Prison Advisory meeting.

Councilman Stelley reviewed the vouchers, updated the website, attended the recreation and parks interviews and attended the liberty fest meeting.

Councilman Clark attended the recreation and parks interviews and attended the liberty fest meeting. One committee members asked if it would be alright to have vendors in the old park pavilion. Two board members said no, two said yes and one did not care if the pavilion was used. Supervisor Tessmer attended the Southern Regional Planning Group meeting, followed up on DOCCS water line hold-up issue, worked on the transfer station truck issue, working on the CDBG package for the LK Painter roof and attended the building committee meeting.

Old Business

1. Resolution to participate in the National Purchasing Cooperative

RESOLUTION # 113: APPROVE PARTICIPATION IN NATIONAL PURCHASING COOPERATIVE

Motion made by Supervisor Tessmer seconded by Councilman Martin the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins can purchase equipment at a savings by joining a national purchasing cooperative, and

WHEREAS, the Buy Board National Purchasing Cooperative offers contract pricing through a network of vendors that will increase efficiency by eliminating the bid process, and

WHEREAS, some equipment previously available at NYS Contract pricing, is now available only through this cooperative.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board authorizes the Supervisor to sign the Agreement with Buy Board National Purchasing Cooperative to allow for the purchase of equipment, for a one year renewable term.

2. Resolution to approve purchase of commercial lawn mower

RESOLUTION # 114: **PURCHASE COMMERCIAL LAWN MOWER**

Motion made by Supervisor Tessmer seconded by Councilman Clark the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town currently owns a 2013 Ferris mower for use in maintaining Town properties, and

WHEREAS, the mower is 4 years old and has more than 434 hours on it, and

WHEREAS, in an effort to update equipment on a reasonable interval and prevent breakdowns, the Town included a replacement schedule in its 5-Year Capital Plan.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the purchase of a Ferris ProCut S Commercial mower model 5900533, with a 24 HP motor and 61-inch deck, through the Buy Board National Purchasing Cooperative, from Lamb & Webster for \$7,649.15, to be paid from Budget Line B7110.220 – Parks Improvement, and

BE IT FURTHER RESOLVED, that the 2013 Ferris ProCut mower, S/N 2015352858, be declared as surplus and sent to auction or sold by sealed bid, at the Highway Superintendent's recommendation.

New Business

1. Resolution to appoint 2017 Beautification Staff

RESOLUTION # 115: **APPOINT 2017 BEAUTIFICATION EMPLOYEES**

Motion made by Councilman Clark seconded by Councilman Stelley the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins sponsors a Summer Beautification program to assist in maintaining the Town parks, cemeteries and other Town property, and

WHEREAS, the Town wishes to fill the positions necessary for this program, and

WHEREAS, the Town advertised for the position of Summer Beautification Employee, and the Personnel Committee, along with the Parks Crew Chief, interviewed applicants responding to this ad.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board follow the recommendations of the Personnel Committee, and hire the following applicants as Employees for the 2017 Summer Beautification Program, effective May 2, 2017: Jared Krajewski, Heidi Ploetz, Jennah Stelley at \$9.70 per hour. Alternate, to serve as needed, effective May 18, 2017: Maxwell Crosson, at \$9.70 per hour.

2. Resolution to appoint 2017 Summer Recreation staff

RESOLUTION # 116: **APPOINT 2017 SUMMER RECREATION EMPLOYEES**

Motion made by Councilman Clark seconded by Councilman Stelley the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins sponsors a Summer Recreation programs for the purpose of providing activities for the youth of our Town and to provide summer employment, and

WHEREAS, the Town wishes to fill the positions necessary to carry out this program, and

WHEREAS, the Town advertised for the positions of Recreation Supervisor and Recreation Attendant, and the Personnel Committee, along with the Recreation Director, interviewed applicants responding to this ad.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins follow the recommendations of the Recreation Director and Personnel Committee, and hire the following

applicants for the 2017 summer program:

Recreation Supervisor at \$12.36 per hour: Thomas McMullen.

Recreation Attendants at \$9.70 per hour: Jacob Quiter, Brian Gernatt, Jessica Nickerson, Olivia Eastland, Justin Kehr, Rebecca McMullen, Casey Peglowski, and Katie Steff.

Alternates: Derek Watkins, Mickey Mentley, and Autumn Mangano.

3. Resolution to approve Town Justice Court Clerk

RESOLUTION # 117: APPOINT COURT CLERK

Motion made by Supervisor Tessmer seconded by Councilman Clark the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins recently advertised to fill a Court Clerk position, and
 WHEREAS, the Honorable Brian D. Gernatt conducted interviews, and selected a new Court Clerk, effective May 9, 2017.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board appoints Dianna J. Evans as Court Clerk, at an annual salary of \$9,735.39, effective May 9, 2017, and prorated for the period from May 9, 2017, to December 31, 2017.

4. Resolution to approve additional Justice Court Clerk salary for training

RESOLUTION # 118: APPROVE ADDITIONAL COURT CLERK SALARY FOR TRAINING

Motion made by Councilman Stelley seconded by Councilman Martin the following is:

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark
 Nay 0
 Abstained 1 Tessmer

WHEREAS, the Town of Collins has appointed Dianna J. Evans to fill a Court Clerk position effective May 9, 2017, and

WHEREAS, Justice Brian D. Gernatt has requested the current Court Clerk be retained to assist in her training until May 31, 2017.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board approves the request made by Justice Brian D. Gernatt, to allow for his current Court Clerk to be retained to train the newly appointed Court Clerk, at the existing pay rate, until May 31, 2017, and

BE IT FURTHER RESOLVED, that the following 2017 Budget transfer be made to cover the additional salary:

TRANSFER FROM A 1940.400 Contingency Fund \$748.88 to A 1110.110 Employees – Court Clerk \$748.88

5. Resolution to approve change order to asbestos removal contract

RESOLUTION # 119: APPROVE CHANGE ORDER NO. 1 FOR 3585 ROUTE 39 ASBESTOS REMOVAL PROJECT

Motion made by Supervisor Tessmer seconded by Councilman Vogtli the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, during the contractor's setup for the asbestos removal project at the 3585 Route 39 property, significant water damage to the ceiling was discovered, and

WHEREAS, the failure of the ceiling has created an unsafe working environment and poses a risk, and

WHEREAS, the asbestos removal contractor must remove the ceiling prior to commencing the removal work.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board approves Change Order Number 1 for the 3585 Route 39 Asbestos Removal project contract by Pierce Services, Inc., in the amount of \$2 300.00, and authorizes the Supervisor to notify the contractor.

RESOLUTION # 120: **DECLARE MAY 7-13, 2017 AS MUNICIPAL CLERK'S WEEK**

Motion made by Supervisor Tessmer seconded by Councilman Stelley the following is:

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meeting of their state, province, county and international professional organizations, and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, That Collins Town Board, recognizes the week of May 7 through May 13, 2017, as Municipal Clerk's Week, and further extend appreciation to our Municipal Clerk, Becky Jo Summers and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

With no further business, on a motion of Councilman Clark seconded by Councilman Stelley the meeting was adjourned at 8:48 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of May, 2017.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman

Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Janet Vogtli, Councilman

Others Present: Margaret Degenfelder and Andrew Kuczkowski, The Observer reporter

Supervisor Tessmer called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 121: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Stelley to approve the agenda after deleting the 2017 audit presentation and adding under New Business appointing a caretaker and to discuss the youth handbook.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 122: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the May 1, 2017 town board meeting.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 123: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract # 10 for 2017 dated May 15, 2017 for listed vouchers # 327 - 357 for \$ 23,525.71:

| | | | |
|---------------------|----------|--------------------|-----------------|
| General – Townwide | 9,349.13 | Special Refuse | 782.17 |
| General – Part Town | 2,298.95 | Water District # 1 | 1,588.44 |
| Highway | 7,403.08 | Water District #3 | <u>1,140.12</u> |
| Special Lighting | 963.82 | Total | \$ 23,525.71 |

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Old Business

1. Resolution to approve lawn mowing proposal for non-compliant properties

RESOLUTION #124: **APPROVE PROPOSAL TO MOW PROPERTIES**

Motion made by Supervisor Tessmer seconded by Councilman Clark the following is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

WHEREAS, the Town of Collins Code Enforcement Officer requested that bids be solicited for mowing grass in 2017 that is in violation of the building code, and

WHEREAS, The Town of Collins received three cost proposals to cut grass and remove debris on non-compliant properties, at the direction of the Town of Collins Code Enforcement Officer , and

WHEREAS, the Town of Collins intends to recoup the costs by placing a lien upon the real property for which such services were provided, in the 2018 Tax warrant.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board approves the proposal from Peter A. Sutton, of Farmington, New York, to complete the mowing and clean-up work at the direction of the Code Enforcement Officer using the following fee schedule:

½ acre lot mowing, initial cut, \$75.00
 ½ acre lot mowing, subsequent cuts, \$50.00
 Greater than ½ acre lot mowing, \$50.00 per hour
 Debris removal, \$60.00 per hour
 Tree / shrub trimming, \$50.00 per hour

2. Bid solicitation for 3585 Route 39 demolition

The asbestos has been removed and we are waiting for proof that the property is clean and a copy of the report from the landfill where the debris was taken before we put this demolition out to bid.

New Business

1. Resolution to approve repairs to Pine Grove Cemetery Roadway

RESOLUTION # 125: APPROVE ROAD REPAIRS AT PINE GROVE CEMETERY

Motion made by Supervisor Tessmer seconded by Councilman Martin the following is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, in 2016, the Pine Grove Cemetery Association Board of Directors has made a request to the Collins Town Board to supply the labor and equipment necessary to repair its roadways, and

WHEREAS, the Collins Town Board approved the repairs to part of the roadway in 2016, and recommended the remaining portion be done in 2017, and

WHEREAS, NYS General Municipal Law §165-a adopted in 2010 allows municipal corporations to provide funding, goods/or services to public cemetery corporations, and

WHEREAS, the Collins Town Board wishes to assist the Pine Grove Cemetery Association with this matter.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board hereby authorizes the Town of Collins Highway department to supply the labor and equipment necessary to repair the road, and that the expenses, estimated to be \$3,141.40, be taken from the 2017 Town Budget A Fund Home and Community Services line A8810.400 – Cemeteries.

2. Resolution to approve Supervisors Report for January 2017

RESOLUTION # 126: ACCEPT JANUARY 2017 SUPERVISORS REPORTS

Motion made by Councilman Clark and seconded by Councilman Stelley to accept the Town of Collins Supervisor's Report as submitted, for the month of January 2017.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

3. Appoint Part Time Caretaker

RESOLUTION # 127: APOINT PART TIME CARETAKER

Motion made by Councilman Clark seconded by Councilman Stelley the following is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the town of Collins requires custodial services to maintain its buildings, and

Whereas, the Town's caretaker submitted her resignation, and the Town searched for applicants to fill the position, and

WHEREAS, in response to this search, the Town received three applications, and

WHEREAS, the Personnel Committee interviewed all the applicants and found a qualified candidate to fill the position.

NOW, THEREFORE BE IT RESOLVED that the town Board of the Town of Collins appoints Laurie Johnson to the position of PT Caretaker, 19.0 hour per week, at a rate of pay of \$10.50 per hour, with a probationary period of 90 days, effective May 16, 2017.

4. Discuss youth recreation staff handbook – Supervisor Tessmer has relayed his changes to Samantha D'Amaro, Recreation Director and if anyone has any changes to please get them

to her.

Project Updates and Discussion

1. Town IT requirements and CEO / Assessor Software Update – Supervisor Tessmer has met with a few company representatives and find we have some hardware issues in the town hall. This project to share forms and information between the Code enforcement, Assessment and the Town Clerks office will be a bigger project than first thought. Mr. Tessmer would like this put into our 5-Year Plan and budget for it. We should have an IT firm come in next year and give us a complete assessment.

2. Highway Property Survey – Surveyor Manguso sent a preliminary survey and the salt barn is not on the railroad property.

DOCCS MOU – The Department of Corrections will meet in Albany and Supervisor Tessmer and Jason Opferbeck will attend. The Supervisor is recreating records to make a package to give to all at the meeting. The Town still does not have an agreement to supply Corrections with water.

Supervisor Tessmer asked for the correct wording for the welcome to the town signs to continue with this project.

The moratorium on the solar farms will expire in September.

With no further business, on a motion of Councilman Stelley seconded by Councilman Clark the meeting was adjourned at 8:20 pm.

Becky Jo Summers, Town Clerk