

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 Monday the 12th day of August 2024.

Present: Kenneth Martin, Supervisor
 Robert O'Connor, Councilmember
 Jacquelyn McLean, Councilmember
 Jane Sion, Councilmember
 James Hotnich, Councilmember
 Becky Jo Summers, Town Clerk
 James Musacchio Attorney for Town 7:06pm

Also Present: Diane & David Gamel, Brenda Overhoff and Chris Gerling highway superintendent

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

RESOLUTION # 147: AGENDA APPROVAL

Motion made by Supervisor Martin, seconded by Councilmember McLean that the agenda be accepted as presented.

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

Resolution # 148: MINUTES APPROVAL

Motion made by Councilmember Hotnich, seconded by Councilmember Sion to approve the minutes of the July 8 and 15, 2024 meetings as presented.

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

RESOLUTION # 149: APPROVE 2024 BUDGET TRANSFERS AND MODIFICATIONS

Motion made by Councilmember Hotnich, seconded by Councilmember McLean to approve the following 2024 Budget Transfers and Modifications.

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

Budget Transfers

From: A1990.400 Contingent	\$4,172.00
To: A1355.401 Assessor – Shared Service	\$4,172.00

From: SW3 8330.410 Water Purification Testing	\$ 282.00
To: SW3 8330.400 Water Purification - Contractual	\$ 282.00

From: H20 8540.240 Construction	\$ 79.00
To: H20 1420.200 Legal	\$ 79.00

Budget Modification – DB Fund

Appropriations

Increase Budget Line: DB 5130.400 Machinery - Contractual by \$24,069.30 from \$60,000.00 to \$84,069.30

Revenues

Increase Budget Line: DB 2680 Insurance Recoveries by \$24,069.30 from \$0.00 to \$24,069.30

Approval / Adoption of Abstract

Resolution # 150: ABSTRACT APPROVAL

Motion by Councilmember Sion seconded by Councilmember Hotnich that the bills be paid on abstract #8 for 2024 dated August 12, 2024 for listed vouchers # 410 - 469 for \$ 88,281.14:

8 of 2024

General – Townwide	53,509.94	Special Refuse Fund	3,782.84
General – Part Town	5,998.02	Water District # 1	6,983.46
Highway	15,832.35	Water District # 3	<u>1,256.84</u>

Drainage Improv Project	79.00	Total	\$ 88,281.14
Lighting Special	839.69		
ADOPTED	Aye 5	O'Connor, McLean, Sion, Hotnich, Martin	
	Nay 0		

Reports of Department Heads and committees

Building and grounds committee report was gone through by Supervisor Martin.

Code Enforcement report was gone over.

Highway superintendent thanked Mark Hobson for his 25 years of service to the town. New signs were put up at the pickle ball court regarding no bike riding, mowing roadsides, truck repairs, helping other towns and they have been helping us and potholes were trimmed and filled.

At the transfer station the cardboard bin was cleaned and fixed.

Liberty Fest date for 2025 has been set and they are booking vendors.

Recreation's last day will be Friday, August 16th. There were approximately 100 attendees each day, 57 went on the field trip.

Senior program is on summer break.

Town Clerk had sales in July 2024 of \$ 4,296.39 with the Town's portion \$ 4,088.87.

Water department report was read.

Board Reports

Councilmember O'Connor attended the special meeting with MDA Engineers regarding proposed drainage project, attended Liberty Fest after action and 2025 planning meeting, contacted forensic architectural firms regarding assistance with library roof issues, attended Building and Grounds Committee meeting, met with Gowanda Disaster Coordinator Nick Crassi regarding information gathering on Code Red emergency alert system and audited the vouchers.

Councilmember McLean worked at Liberty Fest, attended the building and grounds meeting, worked on the project at the Collins Center Park, updated face book and the website and reviewed the vouchers.

Councilmember Sion attended the building and grounds meeting and reviewed the vouchers.

Councilmember Hotnich attended the building and grounds meeting

Supervisor Martin attended the prison press conference, the pre-bid meeting on the drainage project, the bid opening for the drainage project and explained the census project whereby the seniors can qualify.

Old Business

1. Resolution needed to accept the town justice audit report for 2023

RESOLUTION # 151: **ACCEPT TOWN JUSTICE 2023 AUDIT REPORT**

Motion made by Supervisor Martin, seconded by Councilmember Hotnich that the following is:

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin

Nay 0

WHEREAS, the N.Y.S. Unified Court System's "Action Plan" for the Justice Courts includes initiatives to improve accountability and controls over Justice Court finances and records, and

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited, and

WHEREAS, the Collins Town Board has retained the firm of Drescher & Malecki, LLP to audit the town's financial records, including those of the town justice.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board acknowledges that the records of Town Justice Colleen Kinnaird have been audited and that the Town Board hereby accepts the audit report for the year ending December 31, 2023, as prepared by Drescher & Malecki, LLP.

2. Resolution needed to accept the town audit report for 2023

RESOLUTION # 152: **ACCEPT AUDITORS 2023 REPORT**

Motion made by Councilmember O'Connor, seconded by Councilmember McLean that the following is:

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

WHEREAS, the Town has retained Drescher & Malecki, LLP to complete the annual financial audits, and

WHEREAS, Drescher & Malecki, LLP submitted their Financial Audit Report for 2023 and presented their findings to the Collins Town Board on July 8, 2024.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board acknowledges that the financial records of the Town have been audited and that the Town Board accepts the audit report for the year ending December 31, 2023, prepared by Drescher & Malecki, LLP.

New Business

1. Resolution needed to grant permission for Assessor Jeneen Hill attend the NYS Assessors' Association annual conference and training seminar

RESOLUTION # 153: **GRANT PERMISSION FOR ASSESSOR JENEEN HILL TO ATTEND THE NYS ASSESSORS' ASSOCIATION ANNUAL CONFERENCE AND TRAINING SEMINAR**

and that all the appropriate and reasonable expenses shall be reimbursed by the New York State Office of Real Property Tax Services with remaining training expense balance to be split between the Towns of Evans, Collins, and North Collins equally not to exceed \$400 per Town.

Motion made by Councilmember Hotnich, seconded by Councilmember O'Connor that the following is:

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

WHEREAS, the Assessor Jeneen Hill requests permission to attend the NYS Assessors Association Annual Conference and Training Seminar, and

WHEREAS, said Annual Conference will be held in Fairport, New York on September 23 – 26, 2024, and

WHEREAS, the Town Board recognizes that Assessor Hill's duties require twelve hours of continuing education yearly, and the importance of engaging in research and improve assessment technique and practice; and to advocate for legislative proposals relating to assessing and taxation; and the importance of cooperating with other agencies interested in the improvement of tax administration throughout New York State.

NOW THEREFORE BE IT RESOLVED that the Board of the Town of Collins shall grant permission to Assessor Jeneen Hill to attend the NYS Assessors Association Conference and Training Seminar.

2. Resolution needed to grant permission for Assistant Code Enforcement Officer Jeneen Hill attend the Western Southern Tier Building Official Association annual conference and training

RESOLUTION # 154: **GRANT PERMISSION FOR ASSISTANT CODE ENFORCEMENT OFFICER JENEEN HILL TO ATTEND THE WESTERN SOUTHERN TIER BUILDING OFFICIAL ASSOCIATION ANNUAL CONFERENCE AND TRAINING**

Motion made by Supervisor Martin, seconded by Councilmember Sion that the following is:

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

WHEREAS, the Assistant Code Enforcement Officer Jeneen Hill requests permission to attend the Western Southern Tier Building Official Association Annual Conference and Training, and

WHEREAS, said training will be held at the Chautauqua Harbor Hotel in Celeron, NY from September 11 – 13, 2024, and

WHEREAS, New York State requires 24-hours of continuing education each year for Code Enforcement Official Certification.

NOW THEREFORE BE IT RESOLVED that the Board of the Town of Collins shall grant permission to Assistant Code Enforcement Officer Jeneen Hill, to attend said training and that all appropriate

and reasonable expenses shall be paid by the Town of Collins, not to exceed \$200.

3. Resolution needed to set date for a public hearing on the Draft Comprehensive Plan

RESOLUTION # 155: SET DATE FOR SPECIAL MEETING TO AWARD CONTRACT FOR TOWN OF COLLINS ROAD DRAINAGE PROJECT TO ADDRESS SEQR REVIEW FOR THE ROAD DRAINAGE PROJECT AND TO SET THE DATE FOR A PUBLIC HEARING ON THE DRAFT COMPREHENSIVE PLAN

Motion made by Supervisor Martin, seconded by Councilmember Hotnich to conduct a Special Meeting of the Collins Town Board at 7:00 PM on August 19, 2024 to Award the Contract for the Town of Collins Road Drainage Project to address SEQR Review for the road drainage project and to set the date for a Public Hearing on the Draft Comprehensive Plan and to address SEQR review for the road drainage project.

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

RESOLUTION # 156: ENTER INTO EXECUTIVE SESSION

Motion made by Supervisor Martin, seconded by Councilmember O'Connor to interrupt this meeting to enter into an Executive Session to discuss the appointment of personnel, at 7:44 PM.

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

RESOLUTION # 157: RETURN TO REGULAR SESSION

Motion made by Councilmember Hotnich, seconded by Councilmember Sion to return to regular session at 8:21 PM.

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

No action was taken in the executive session.

New Business (cont'd)

4. Resolution needed to confirm the appointment of a Motor Equipment Operator (MEO) in the highway department

RESOLUTION # 158: CONFIRM MOTOR EQUIPMENT OPERATOR (MEO) NEW HIRE IN HIGHWAY DEPARTMENT

Motion made by Councilmember Hotnich, seconded by Councilmember McLean that the following is:

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

WHEREAS, a vacant MEO position exists in the Collins Highway Department due to the retirement of MEO Mark Hobson effective August 6, 2024, and

WHEREAS, Highway Superintendent Chris Gerling advertised for applicants to the position, reviewed the applicant's qualifications and decided to hire Joshua G Bushen effective Monday, August 19, 2024.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby reaffirms the Superintendent's hiring of Joshua G Bushen as a full-time MEO employee in the Town Highway Department at a salary of \$23.29 per hour during his probationary period, effective August 19, 2024. (90 days)

5. Resolution needed to

RESOLUTION: # 159 CONFIRM PART-TIME HIGHWAY LABORER NEW HIRE IN HIGHWAY DEPARTMENT

Motion made by Supervisor Martin, seconded by Councilmember Sion that the following is:

ADOPTED Aye 5 O'Connor, McLean, Sion, Hotnich, Martin
 Nay 0

WHEREAS, Highway Superintendent Chris Gerling has requested that the Collins Town Board approve the hiring of a fourth Part-Time laborer in the Highway Department, and

WHEREAS, it is necessary to have additional Part-Time help to call on during the winter months to assist with keeping roads open, during summer months of scheduled employee vacations and to assist with the transportation of materials collected at the Town's Transfer Station.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby reaffirms the Superintendent's hiring of Mark Hobson as a Part-Time Laborer in the Town Highway Department at a salary of \$20.10 per hour during his probationary period, effective August 13, 2024. (90 days)

With no further business, on a motion of Councilmember Hotnich seconded by Supervisor Martin the meeting was adjourned at 8:28 PM.

Becky Jo Summers, Town Clerk