

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 10th day of October 2023.

Present: Kenneth Martin, Supervisor
Jacquelyn McLean, Councilman
Jane Sion, Councilman
Mary Stelley, Councilman
James Hotnich, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney (7:36pm)

Also Present: Connie Fuhrmann, Brenda Overhoff, Ruth Hager, Ann Andzel, David and Diane Gamel, Matthew Smuda and Debby Jolls

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

RESOLUTION #176: AGENDA APPROVAL

Motion made by Supervisor Martin, seconded by Councilman Sion that the agenda be accepted as amended to delete the resolution to adopt LL #2 of 2023 – 12-month Moratorium.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
Nay 0

RESOLUTION #177: MINUTES APPROVAL

Motion made by Councilman Hotnich, seconded by Councilman McLean to approve the minutes of the September 11th and October 2nd meetings.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
Nay 0

RESOLUTION # 178: APPROVE BUDGET TRANSFERS

Motion made by Councilman Hotnich, seconded by Councilman Sion to approve the following Budget Transfers for Budget Year 2023.

BUDGET TRANSFER:

DB FUND:

Transfer From: DB 5110.4 Contractual Expenses	2,500.00
Transfer To: DB 5110.402 General Repairs - Gas	2,500.00

SW1

Transfer From: SW1 1420.41 Legal	1,000.00
Transfer To: SW1 8330.4 Water Purification – Contractual	1,000.00
Transfer From: SW1 1420.41 Legal	1,000.00
Transfer To: SW1 8340.41 Transportation & Distribution – Meters	1,000.00

SW4

Transfer From: SW4 8320.426 Source & Supply – Purchase of Water	200.00
Transfer To: SW4 8320.400 Source & Supply – Contractual	200.00

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
Nay 0

Public Access

None

Reports of Department Heads and committees

Building and grounds last meeting report was gone through. The transfer station retaining wall has been poured, drainage project was put out to get surveyor for maps, highway cold storage building project will be closing out the paperwork and is in contact with the insurance company. The Welcome to Collins signs has been approved by Erie County, but Albany needs to review it and the Town has to show it has insurance.

New dog control officer stated she will be submitting quarterly reports.
Planning board is working on the comprehensive plan.
Recreation program for the winter will start in January.
Seniors Christmas trip in December has been filled up.
Town Clerk reported sales in September of \$ 8,074.95 with the Town's portion \$ 4,432.01.
Water report was handed out.

Board Reports

Councilman McLean attended the Collins Correctional meeting, interviewed with the cleaner applicant, spoke with Caleb Henning regarding the parks, reviewed the vouchers and updated Facebook and the website.

Councilman Sion attended the Collins Correctional meeting and reviewed the vouchers.

Councilman Hotnich reviewed the vouchers and has been checking in at the transfer station.

Supervisor Martin received a phone call regarding the speed study and they recommend putting up an area speed limit sign instead of multiple signs in some hamlets. Attended the Rural Transit meeting where they were told a few vans are to be replaced. Mr. Martin also attended the Prison Advisory meeting, Comprehensive plan meeting and the Supervisor's meeting. Eventually there would be five new ambulances in the area.

1. Resolution needed to advertise for 2024 winter recreation staffing

RESOLUTION # 179: ADVERTISE FOR 2024 WINTER RECREATION STAFFING

Motion made by Councilman Hotnich, seconded by Councilman Sion that the following is:

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

WHEREAS, the Town of Collins provides recreational services to the youth of the Town, and
WHEREAS, the Recreation Program requires a Recreation Supervisor PT and Recreation Attendants PT to oversee the participants' activities.

NOW, THEREFORE BE IT RESOLVED, the Collins Town Board approve the following ad to be placed in the Gowanda Penny saver and News and the Springville Penny saver to run for the weeks of October 21, 2023 and October 28, 2023, and shall require all applications be delivered to the Collins Town Clerk no later than 4 pm, Wednesday, November 1, 2023.

Town of Collins
is accepting applications for part time
Recreation Supervisor and Recreation Attendants for the
2024 WINTER RECREATION PROGRAM
Minimum age of 17 years with working papers
and must be available weekends
Preference given to Collins residents
Applications available Monday-Friday, at the Towns Clerk's Office,
14093 Mill St, Collins (9am-5pm, closed 1-2pm)
or on the Town website www.townofcollins.com
Completed applications will be accepted at the Town Clerk's Office
in person or by mail until Wednesday, Nov. 1, 2023 at 4pm.

2. Resolution needed to authorize the Collins Town Court apply for a JCAP Grant

RESOLUTION # 180: AUTHORIZE THE COLLINS TOWN COURT TO APPLY FOR A JCAP GRANT

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

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

WHEREAS, the Collins Town Court wishes to apply for a JCAP Grant to secure Courtroom Enhancements, upgrade Security Video Surveillance Cameras, upgrade the Telephone System and purge and destroy all non-essential court records.

NOW, THEREFORE BE IT RESOLVED, that the Board of the Town of Collins authorizes the Justice of Collins Town Court to apply for a JCAP Grant in the 2023-2024 grant cycle up to \$30,000.00.

3. Resolution needed to approve Town of Collins 2023 – 2024 employee health insurance plan

RESOLUTION #181 : APPROVE TOWN OF COLLINS 2023 – 2024 EMPLOYEE HEALTH INSURANCE PLAN

Motion by Councilman McLean and seconded by Councilman Sion that the Collins Town Board will continue to offer its full-time employees Health Insurance through the HMBSBC Plan for the period of December 1, 2023 – November 30, 2024.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

4. Resolution needed to approve proposal to remove and replace the non-operational water pump at Water #3 pump house

RESOLUTION # 182: APPROVE PROPOSAL TO REMOVE AND REPLACE THE NON-OPERATIONAL WATER PUMP AT WATER DISTRICT NO 3 PUMP HOUSE

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

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

WHEREAS, one of the submersible pumps at the Water District No. 3 pump house has become non-operational, and

WHEREAS, bids were solicited to replace the pump, and

WHEREAS, 3 bids were received as follows:

Wiley Well Drilling, Inc	\$ 18,592.76
Ehmke Well Drillers	\$ 17,549.43
Jones Well Drilling	\$ 18,103.82

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby accepts the proposal of Ehmke Well Drillers, PO Box 4, 104 Main Street, Silver Creek, NY 14136, in the amount of \$17,549.43 to replace the pump at the Water District No. 3 pump house and that the Supervisor be authorized to sign the acceptance of proposal.

Public Hearing – 7:30 pm – 2024 Community Development Block Grant (CDBG) Eligible Projects

Resolution needed to interrupt this meeting to conduct a public hearing advertised and scheduled on 2024 Community Development Block Grant eligible projects.

Attorney Musacchio arrived at 7:36pm.

RESOLUTION # 183: OPEN PUBLIC HEARING ON 2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE PROJECTS:

Motion made by Supervisor Martin and seconded by Councilman Sion to open the public hearing on 2024 Community Development Block Grant eligible projects scheduled for 7:30 PM this evening.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

**NOTICE OF PUBLIC HEARING
NOTICE TO THE CITIZENS OF THE TOWN OF COLLINS**

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **October 10, 2023 at 7:30 pm** at the Collins Town Hall, 14093 Mill Street, regarding the use of Federal Community Development funds in the Town of Collins.

The Town of Collins is eligible for a Federal Community Development grant under Title I of the

Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low- and moderate-income people in the Town of Collins.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Collins selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at 532-4887 ext. 101 by October 5, 2023.

Mr. Martin read the notice of the public hearing and declared the public hearing open. The Consortium this year allows grants up to \$ 150,000.00. A list of previous grants the Town has received was gone through. The deadline to apply is October 30, 2023. The last year we received a grant was 2016. These grants have to benefit low and moderate income / urgent needs.

Supervisor Martin asked if anyone has a project they would like to see submitted. The items brought up were: play area in the parks for smaller children, LKP roof and bathroom renovation for the LKP. It was stated that the time left until the deadline of the end of the month may not be enough to complete an application.

Supervisor Martin asked again if anyone else has any comments regarding this. No one answered, so the public hearing was closed

RESOLUTION # 184: CLOSE PUBLIC HEARING ON 2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE PROJECTS:

Motion made by Councilman Hotnich and seconded by Councilman Sion to close the Public Hearing on 2024 Community Development Block Grant eligible projects, at 7:44 PM.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

Resolution needed to rank 2024 Erie County Community Development Block Grant (CDBG) project requests

RESOLUTION #185: RANK 2024 ERIE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT REQUESTS:

Motion made by Supervisor Martin, and seconded by Councilman Hotnich to authorize Kenneth E. Martin, Supervisor, to sign, submit, and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project(s), upon approval of ECCDBG:

1. Bathroom Renovation at the LK Painter Community Center to make them ADA compliant
2. Rural Transit Van Program
- 3.
- 4.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

5. Resolution needed to Hire Cleaner Part Time

RESOLUTION # 186: TO HIRE CLEANER PART TIME

Motion made by Councilman Hotnich, seconded by Councilman Sion that the following is:

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

WHEREAS, the Town of Collins has a position for CLEANER PT and,
WHEREAS, the Town wishes to fill the recently vacated position and,
WHEREAS, the Town advertised the position of CLEANER PT and interviewed two (2) of the three (3) applicants responding.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins hire Courtney Aquila for the position of Cleaner PT at rate of \$17.10 per hour effective Wednesday, October 11, 2023.

6. Resolution needed to set town board meeting for Monday, October 16, 2023 for workshop on 2024 Tentative Budget

RESOLUTION # 187: SET TOWN BOARD MEETING FOR MONDAY, OCTOBER 16, 2023 TO CONDUCT A WORKSHOP ON THE 2024 TENTATIVE BUDGET

Motion made by Supervisor Martin and seconded by Councilman Sion to set a Town Board Meeting for Monday, October 16, 2023 to conduct a Workshop on the 2024 Tentative Budget.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

Public Hearing – 8:00 pm - “Twelve (12) Months Moratorium on the Issuance of Applications and Granting of Permits for Siting of Commercial Solar Panel, Wind Turbine and Battery Power Projects in the Town of Collins”.

Resolution needed to interrupt this meeting to conduct a public hearing advertised and scheduled on Proposed Local Law # 2 of 2024 on a 12-month moratorium on the issuance of applications and granting of permits for Siting of Commercial Solar Panel, Wind Turbine and Battery Power Projects in the Town of Collins.

RESOLUTION # 188: MOVE TO SCHEDULED PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2023 FOR THE TOWN OF COLLINS

Motion made by Councilman Hotnich and seconded by Councilman McLean to interrupt this Board meeting to conduct a Public Hearing on Proposed Local Law No. 2 of the Year 2023 for the Town of Collins as advertised and scheduled for this evening at 8:00 PM.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW NO. 2 OF THE
YEAR 2023 FOR THE TOWN OF COLLINS**

PLEASE TAKE NOTICE that pursuant to resolution of the Town Board of the Town of Collins, New York, 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, October 10, 2023, at 8:00 p.m.** to consider the following:

Town of Collins Proposed Local Law No. 2-2023, which, if approved, would impose a twelve (12) month moratorium on the issuance of applications and granting of permits for Siting of Commercial Solar Panel, Wind Turbine and Battery Power Projects in the Town of Collins.

Copies of the Proposed Local Law are available in the Collins Town Clerk's Office. All interested parties may attend and be heard.

Dated: September 11, 2023

BECKY JO SUMMERS
Collins Town Clerk

Attorney Musacchio read the notice of public hearing.

Supervisor Martin stated this was done to revamp the Local Law to change the dates to December 1, 2023 through November 30, 2024 and then opened the public hearing up to the floor for comments.

1. Connie Fuhrmann is in favor of the moratorium.

2. Brenda Overhoff approves the moratorium.
3. Rugh Hager asks if there is twelve months and then the moratorium. Supervisor Martin stated we have to redo the town code within the twelve months. Mrs. Hager then approved.
4. Ann Andzel objects to what the companies are doing and wants to know if they can just come in and take over. Attorney Musacchio said the companies may try to purchase a right-of-way or an easement. Mrs. Andzel is in favor of the moratorium.
5. David Gamel is for the moratorium.
6. Matthew Smuda is in favor of the moratorium.
7. Diane Gamel is concerned about the aquifer here and if it is messed with, it could damage our water supply. Mrs. Gamel is in favor of the moratorium.
8. Debby Jolls is in favor of the moratorium.

Attorney Musacchio stated if we have the laws in place the State will make the companies listen to us.

Supervisor Martin asked if anyone else wanted to speak. With no one else wishing to speak the Public Hearing will be closed.

Resolution needed to close the public hearing on Local Law No 2 of 2023

RESOLUTION # 189: MOVE TO CLOSE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 2 OF THE YEAR 2023 FOR THE TOWN OF COLLINS

Motion made by Supervisor Martin and seconded by Councilman Hotnich close the Public Hearing on Proposed Local Law No. 2 of the Year 2023 for the Town of at 8:26 PM.

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

Approval / Adoption of Abstract

Resolution # 190: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman McLean that the bills be paid on abstract # 10 for 2023 dated October 10, 2023 for listed vouchers # 527 - 574 for \$ 101,266.86:

General – Townwide	32,474.20	Emergency Svs Dispatch	34,473.97
General – Part Town	2,298.14	Special Refuse Fund	1,333.52
Highway	16,566.21	Water District # 1	2,255.21
Highway Cold Storage	709.20	Water District # 3	643.46
Drainage Improvements	2,081.07	Water District #4	<u>3,653.97</u>
Transfer Station	3,920.91		
Special Lighting	857.00	Total	\$ 101,266.86

ADOPTED Aye 5 McLean, Sion, Stelley, Hotnich, Martin
 Nay 0

Discussion – Town of Collins Kennel Agreement with Samantha Smith and Javin Tanner

We have received a proposed contract from Samantha Smith. In the past, impound fees came to the town and now they want the people to pay her directly. Strays will be charged \$25.00 per day up to five days to the Town. For every ticket issued they want \$ 5.00 and the Town to pay them for court appearances and cover their kennel insurance.

Mr. Martin will check if they are kennel owners, if they have a business together or only Samantha and how is their insurance covering Javin. Supervisor Martin and Attorney Musacchio will get together to go over the agreement.

Discussion – Registration Fees for 2024 Town Recreation Programs are being increased. The abbreviated winter program (January through March) stayed the same

Recreation program title will change to Summer and Winter programs.

The Town will have an abbreviated winter program, January through March. Friday nights and Saturday daytime only. Summer program (July through mid-August five days per week).

Rates will increase: Collins residents from \$ 50.00 to \$ 55.00 and non-residents \$ 100.00 to \$ 110.00.

Discussion – Town of Collins Dog Licensing Fees

Licensing fees will be increased by \$ 2.00 each effective January 1, 2024. Spayed/neutered license went from \$ 6.00 to \$ 8.00 and unsprayed/unneutered went from \$ 13.00 to \$ 15.00.

Discussion – Courtroom Lighting

Supervisor Martin and Councilman McLean explained the proposed lighting for the courtroom.

Discussion – Gutters for the new highway building

Gutters have to be put on the front of the building above the doors as the water coming off the roof goes under the doors. Quotes are being obtained.

Discussion – Electricity for the Town

We received quotes from three different suppliers to change our supplier. For the time being the board does not want to do this.

With no further business, on a motion of Supervisor Martin seconded by Councilman Hotnich the meeting was adjourned at 8:51 PM.

Becky Jo Summers, Town Clerk