

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 November 2024.

Present: Kenneth Martin, Supervisor
Robert O'Connor, Councilmember
Jacquelyn McLean, Councilmember
Jane Sion, Councilmember
pm
James Hotnich, Councilmember
Becky Jo Summers, Town Clerk
Chris Gerling, Highway Superintendent
James Musacchio Attorney for Town 7:12

Also Present: David Gamel, Brad Mohawk ESCO, Shane Miller ESCO, Sam McMullen

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

RESOLUTION # 202: **AGENDA APPROVAL**

Motion made by Councilmember O'Connor, seconded by Councilmember Hotnich that the agenda be accepted as presented.

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

RESOLUTION # 203: **MINUTES APPROVAL**

Motion made by Councilmember McLean, seconded by Councilmember O'Connor to approve the minutes of the October 15th, October 21st and November 4th 2024 meetings as presented.

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

RESOLUTION # 204: **APPROVE 2024 BUDGET TRANSFERS AND MODIFICATIONS**

Motion made by Councilmember Sion, seconded by Councilmember Hotnich that the following 2024 Budget Transfers and Modifications resolution is:

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

From: A 9050.8 Employee Benefits - Unemployment	212.00
To: A 9040.8 Employee Benefits – Workers' Compensation	212.00

From: DB 5130.4 Machinery - Contractual	121.00
To: DB 5130.41 Machinery – Contractual Testing	121.00

From: SW3 8330.41 Water Purification - Testing	241.00
To: SW3 8330.400 Water Purification - Contractual	241.00

Budget Modification – SW1 Fund

Revenues

Increase Budget Line: SW1 2401 Interest & Earnings by 3,578.00 from 12,000.00 to 15,578.00

Appropriations

Increase Budget Line: SW1 8330.400 Water Purification – Contractual by 1,015.00.30 from 6,000.00 to 7,015.00

Increase Budget Line: SW1 8340.400 Trans. & Dist. – Contractual by 2,563.00 from 27,895.84 to 30,458.84

Public Access – Erie County Sheriff Deputies Brad Mohawk and Shane Miller spoke about being members of the Erie County Sheriff's Office new Community Engagement Team. They cover North Collins, Brant, Farnham, the Reservation, Gowanda along with Collins (District 5, 1st Battalion). There are four deputies and one sergeant covering certain areas of Erie County and public

events. They are planning on attending meetings and will give reports. The K-9's staff will come to events we hold.

Reports of Department Heads and committees

Building and grounds committee report was gone over.

Code enforcement report was submitted and gone over.

Highway Superintendent's report was gone through by the Supervisor. The trucks are ready for winter, salt shed is full and the new truck should arrive in April 2025.

Parks – The portables have been removed from the parks.

Planning Board minutes were received .

Recreation – we do not have enough applications to start the program. Ten attendants are needed. Another ad will be placed in the paper.

Senior program is having luncheons and will have a Christmas party.

Town Clerk had sales in November 2024 of \$ 5,132.22 with the Town's portion \$ 4,496.57.

Water department sent their last report.

Board Reports

Supervisor Martin reported the height of a few of the court room lights was changed, gutters on the new highway building maybe installed this week and attended the Supervisors meeting where the emergency services spoke on winter storms regarding warning ahead of time and try to be more specific on driving bans. They have two new snow cats for parks, two for emergency services, two new snow blowers and two high lifts.

New Business

1. Resolution needed to re-run the ad for staff for 2025 winter recreation program

RESOLUTION #205 : APPROVE HIRING STAFF FOR 2025 WINTER RECREATION PROGRAM

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

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

WHEREAS, an insufficient number of applications were received to be able to staff the town's winter recreation program, and

WHEREAS, the Collins Town Board agreed to advertise once again for additional applicants.

NOW THEREFORE BE IT RESOLVED THE Collins Town Board approves the following ad to be placed in the Gowanda Pennsaver and News and the Springville Pennsaver to run for the week of November 23, 2024 and shall require all application be delivered to the Collins Town Clerk no later than 4:00 pm, Wednesday, December 4, 2024.

Town of Collins
is accepting applications for
Part Time Recreation Attendants
for the 2025 WINTER RECREATION PROGRAM
Minimum age of 17 years with working papers and must be available weekends.
Staffing positions are not limited to students.
Rate of pay \$15.95 per hour.
Preference given to Collins residents.
Applications available Monday-Friday at the Town 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
by mail, in person or email to info@townofcollins.com
until Wednesday, December 4, 2024 at 4 PM

2. Resolution needed to approve payment application #1 to Matt Kolo Excavating for the drainage improvement project

RESOLUTION # 206: **APPROVE PAYMENT APPLICATIONS NO. 1 TO MATT KOLO EXCAVATING LLC (CONTRACTOR) FOR THE DRAINAGE IMPROVEMENTS PROJECT**

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

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

WHEREAS, the contractor for the Drainage Improvements Project, Matt Kolo Excavating LLC, has submitted progress payment application No. 1, and

WHEREAS, MDA Consulting Engineers, PLLC have verified the quantities included in this payment application.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves payment application No. 1 to Matt Kolo Excavating LLC, in the amount of \$59,153.35, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

3. Resolution needed to set date for public hearing on 2025 kennel special-use permits

Resolution # 207: **SET DATE FOR PUBLIC HEARING ON 2025 KENNEL SPECIAL-USE PERMITS**

Motion made by Councilmember Hotnich and seconded by Councilmember McLean to set a Public Hearing on 2025 Dog Kennel Special-Use Permits for December 9, 2024 at 7:15 PM.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing under Section 30.65 Kennels of the Town of Collins Municipal Code on the 2025 Dog Kennel Special Use Permit applications for the following:

14141 Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY

Troy Fedick, 13688 Brewer Road, Collins, NY 14034

Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034

Melody Esposito, 4038 East Becker Road, Collins, NY 14034

Amy Malik, 14996 South Quaker Road, Gowanda, NY 14070

Debbie Degenfelder, 2858 Lennox Road, Collins, NY 14034

Todd and Paula Struble, 13127 Ottenbecker Rd, Lawtons, NY 14091

A Public Hearing will be held on Monday, December 9, 2024 at 7:15 p.m. at the Town Hall, 14093 Mill Street, Collins, New York. The Town Board may, under §30.65 Kennel of the Town of Collins Municipal Code, impose conditions and restrictions upon said Dog Kennel Special Use Permit.

Dated: November 12, 2024

Becky Jo Summers, Town Clerk

4. Resolution needed to approve emergency dispatch service agreement with Town of Evans

RESOLUTION # 208: **APPROVE EMERGENCY DISPATCH SERVICE AGREEMENT WITH TOWN OF EVANS**

Motion made by Supervisor Martin, seconded by Councilmember O'Connor that the following resolution is:

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

WHEREAS, the Town of Evans has furnished dispatch service for all fire and EMS "911" calls in the Town of Collins through a five-year agreement which expires December 31, 2024, and

WHEREAS, the Collins Town board wishes to enter into another five-year agreement for dispatching service.

NOW THEREFORE BE IT RESOLVED, that the Collins town Board hereby approves entering into a new five-year dispatching agreement for fire and EMS "911" calls with the Town of Evans with a year 2025 cost of \$38,007.56 and an annual cost increase of 5% per year for the next four-years, the agreement to start January 1, 2025 and end December 31, 2029, and that the Town of Collins Supervisor be authorized to sign the agreement.

5. Resolution needed to establish SEQR lead agency and issue a negative declaration for adoption of the 2024 comprehensive plan

RESOLUTION # 209: **ESTABLISH SEQR LEAD AGENCY AND ISSUE A NEGATIVE DECLARATION FOR ADOPTION OF THE 2024 TOWN OF COLLINS COMPREHENSIVE PLAN**

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

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

WHEREAS, the Collins Town Board, with the input and participation of the Comprehensive Plan Committee and the citizens of the Town, has completed a new Town of Collins Comprehensive Plan in accordance with Section 272-a of New York State Town Law; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law, the Collins Town Board has conducted a coordinated environmental (SEQR) review for this Type I action; and

WHEREAS, the Town Board has solicited input from the public and from other Involved and Interested agencies, and has taken a hard look at the social, economic, and environmental impacts of the adoption of the Comprehensive Plan Update; and

WHEREAS the findings of this review indicate that the adoption of the 2024 Town of Collins Comprehensive Plan will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public, and will help manage growth and development in the Town in a manner that will have potentially beneficial impacts on aesthetics, recreation, economics, transportation and community character.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board now establishes itself as SEQR Lead Agency for this action, and has determined that the adoption of the Town of Collins Comprehensive Plan will not result in any significant adverse impacts on the environment, and a Negative Declaration is hereby issued, based on the reasons as set forth in the Environmental Section of the Plan and the full Environmental Assessment Form; and

BE IT FURTHER RESOLVED that the Collins Town Board recognizes the fact that the adoption of the Town of Collins Comprehensive Plan incurs no direct environmental impacts, and that the implementation of any suggested actions under the new Comprehensive Plan which may have potential impacts on the physical development of the Town, may require subsequent and specific SEQRA review; and

BE IT FINALLY RESOLVED that the Town Board authorizes the Town Supervisor to sign the Environmental Assessment Form, which will act as the SEQR Negative Declaration, and authorizes that the appropriate notices and filings be made.

Attorney Musacchio left the meeting at 7:58 PM.

6. Resolution needed to adopt the Town of Collins Comprehensive Plan

RESOLUTION # 210: **ADOPT THE TOWN OF COLLINS COMPREHENSIVE PLAN**

Motion made by Supervisor Martin, seconded by Councilmember O'Connor that the following resolution is:

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

WHEREAS, the Town of Collins, through a grant received from Erie County, has worked diligently over the last three years in preparing a new Comprehensive Plan Update for the Town of Collins that would replace the existing 1999 Comprehensive Plan; and

WHEREAS, through the coordinated actions of a Comprehensive Plan committee, sub-committees, Town Board, Planning Board, other Town Departments, the citizens of the community, and through the Town's Planning Consultant, the Town completed a Draft Comprehensive Plan; and

WHEREAS, the Town of Collins determined that the Draft Comprehensive Plan was sufficiently complete for official agency input, and public review and input, and

WHEREAS, the Collins Town Board held a public hearing on September 9th, 2024, to solicit final comments on the draft Plan; and

WHEREAS, the adoption of a Comprehensive Plan requires a "239 referral" to Erie County, and the Town has completed this referral and received comments from Erie County; and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law, the Collins Town Board conducted a coordinated environmental review process of the Comprehensive Plan, received input from Involved and Interested Agencies, established itself as SEQR Lead Agency and determined that the adoption of the Comprehensive Plan would not have a significant effect on the environment and has issued a Negative Declaration; and

WHEREAS, the Collins Town Board has reviewed the draft documents and directed updates of the Plan in response to input received.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board, in accordance with Section 272-a of New York State Town Law, hereby adopts the document entitled "Town of Collins Comprehensive Plan", dated November 2024, as the Town's Comprehensive Plan; and
BE IT FINALLY RESOLVED that a copy of the Town of Collins Comprehensive Plan be filed in the office of the Collins Town Clerk and placed on the Town's website.

7. Resolution needed to set date for public hearing on special-use permit application from Bell Atlantic Mobile Systems LLC dba Verizon to construct a 185-ft wireless telecommunication tower

RESOLUTION # 211: SET DATE FOR PUBLIC HEARING ON SPECIAL-USE PERMIT APPLICATION FROM BELL ATLANTIC MOBILE SYSTEMS LLC d/b/a VERIZON TO CONSTRUCT A 185-FOOT WIRELESS TELECOMMUNICATIONS TOWER

Motion made by Councilmember Hotnich and seconded by Councilmember O'Connor to set a Public Hearing on the Wireless Telecommunications Tower Special-Use Permit Application for December 9, 2024 at 7:30 PM, and authorize a notice of Public Hearing to be placed in the Dunkirk Observer as follows:

**NOTICE OF PUBLIC HEARING
FOR THE TOWN OF COLLINS**

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a Public Hearing under the Town of Collins Zoning Ordinance for an application for a Special Use Permit by Bell Atlantic Mobile Systems LLC d/b/a Verizon to construct a 185-foot-tall telecommunications tower located on Gowanda Zoar Road in the Town of Collins.

A Public Hearing will be held on December 9, 2024, at 7:30 p.m. at the Town Hall located at 14093 Mill Street, Collins, New York. The Town Board will receive oral and written comments regarding this application. The Town Board may, under the Town of Collins Zoning Ordinance, impose conditions and restrictions upon said Special Use Permit.

Dated: November 12, 2024

Becky Jo Summers

Collins Town Clerk

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

8. Resolution needed to approve professional services agreement with Encorus Group to provide inspection and testing services for the drainage improvement project.

RESOLUTION # 212: **APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ENCOURUS GROUP TO PROVIDE INSPECTION AND TESTING SERVICES FOR THE DRAINAGE IMPROVEMENTS PROJECT**

Motion made by Councilmember Sion and seconded by Councilmember McLean that the Collins Town Board hereby approves the Professional Services Agreement with Encorus Group, 23 Mechanic Street, Springville, NY 14141 to provide special inspections and testing services for the Town of Collins Drainage Improvements Project, and that the Town Supervisor be authorized to sign the agreement.

Approval / Adoption of Abstract

Resolution # 213: **ABSTRACT APPROVAL**

Motion by Councilmember Hotnich seconded by Councilmember O'Connor that the bills be paid on abstract # 11 for 2024 dated November 12, 2024 for listed vouchers # 594 - 663 for \$ 149,977.12:

11 of 2024

General – Townwide	14,138.34	Special Refuse Fund	2,588.08
General – Part Town	6,029.98	Water District # 1	20,126.37
Highway	18,113.34	Water District # 3	5,978.78
Drainage Improvement Pro	81,245.01	Water District # 4	<u>467.75</u>
Parking lots Improvements	375.00	Total	\$ 149,977.12
Special Lighting #1	914.47		

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

With no further business, on a motion of Councilmember Hotnich seconded by Councilmember O'Connor the meeting was adjourned at 8:03 PM.

Becky Jo Summers, Town Clerk