

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 13th day of November 2023.

Present: Kenneth Martin, Supervisor
Jacquelyn McLean, Councilman
Jane Sion, Councilman
James Hotnich, Councilman
Becky Jo Summers, Town Clerk

Absent: Mary Stelley, Councilman

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

RESOLUTION # 203: AGENDA APPROVAL

Motion made by Supervisor Martin, seconded by Councilman Sion that the agenda be accepted as presented.

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin
Nay 0

RESOLUTION # 204: MINUTES APPROVAL

Motion made by Councilman Hotnich, seconded by Councilman McLean to approve the minutes of the October 10, 16 and 30th meetings.

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin
Nay 0

RESOLUTION # 205: APPROVE BUDGET TRANSFERS

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

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin
Nay 0

BUDGET TRANSFER:

DB FUND:

Transfer From: DB 5130.400 Machinery - Contractual 900.00

Transfer To: DB 5130.410 machinery – Contractual - Testing 900.00

Transfer From: DB 5110.410 Contractual - Diesel 1,000.00

Transfer To: DB 5110.420 Contractual – Gas 1,000.00

Public Access

Another Rochester Company is looking to purchase land for solar projects.

Reports of Department Heads and committees

Building and grounds – the benches in front of the Town Hall are in. The transfer station work is almost completed.

Highway reported the trucks are ready to go, the salt barn is full, working on a quote on a new truck (due 2025), putting equipment in the new cold storage building and the portables will be removed from the parks and hand wash unit from the transfer station.

Liberty fest committee will meet in January.

Recreation program for the winter will start January 12 and go through March 30th. Hours will be on Friday 6-8pm and Saturday 10am-2pm

Seniors December Christmas trip has been filled up and the Christmas party will be December 19.

Town Clerk reported sales in October of \$ 3,849.81 with the Town's portion \$ 3,428.69.

Water report stated a new portable heater was installed at District #1 and the SCADA system has been updated. District #3 has one pump down; it needed a new starter.

Board Reports

Councilman McLean attended the NEST and Erie Net meetings, reviewed the vouchers and updated Facebook and the website.

Councilman Sion attended the NEST meeting and reviewed the vouchers.

Councilman Hotnich reviewed the vouchers, has been checking in at the transfer station met with the Insurance Representative.

Supervisor Martin reported we have a new payroll representative at Bahgat and final payment on the cold storage building will be approved tonight. Erie County has enough money available to cover the entire Erie County Erie Net to hook up all the town buildings starting in 2025.

Old Business

1. Approve payment application #11 to Ehrhart Construction Management Services for the cold storage building project

RESOLUTION # 206: APPROVE PAYMENT APPLICATION NO. 11 (FINAL PAYMENT) TO EHRHART CONSTRUCTION MANAGEMENT SERVICES INC (CONTRACTOR) FOR THE COLD STORAGE BUILDING PROJECT

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

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin

 Nay 0

WHEREAS, the contractor for the Cold Storage Building Project, Ehrhart Construction Management Services Inc, has submitted progress payment application No. 11, 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. 11 (final payment) in the amount of \$ 53,389.73 (return of all retainages), and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

2. Resolution needed to adopt Local Law No. 2 for moratorium on issuance of applications and granting of permits for siting of commercial solar panels, wind turbine and battery power projects in the Town of Collins

RESOLUTION # 207: ADOPTION OF LOCAL LAW No. 2 OF THE YEAR 2023 "TWELVE (12) MONTHS MORATORIUM ON THE ISSUANCE OF APPLICATIONS AND GRANTING OF PERMITS FOR SITING OF COMMERCIAL SOLAR PANELS, WIND TURBINE AND BATTERY POWER PROJECTS IN THE TOWN OF COLLINS"

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

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin

 Nay 0

WHEREAS, the Town of Collins held a Public Hearing at the Collins Town Hall, on October 10, 2023, on proposed Local Law No. 2 of 2023, and

WHEREAS, proposed Local Law No. 2 of 2023 was referred to the Erie County Department of Environment and Planning for review under NYS General Municipal Law §239 I-nn, and

WHEREAS, the Erie County Department of Environment and Planning gave the following recommendation: No recommendation, proposed action has been reviewed and determined to be of local concern.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby adopts Local Law No. 2 of the Year 2023 for the Town of Collins, "Twelve (12) Months Moratorium on the Issuance of Applications and Granting of Permits for Siting of Commercial Solar Panels, Wind Turbine and Battery Power Projects in the Town of Collins"

3. Resolution needed to approve hiring staff for 2024 abbreviated winter recreation program

RESOLUTION # 208: APPROVE HIRING STAFF FOR 2024 ABBREVIATED WINTER RECREATION PROGRAM

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

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin

 Nay 0

WHEREAS, the Town of Collins is sponsoring an abbreviated Winter Recreation Program for the purpose of providing activities for the youth of our Town and to provide 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 PT and Recreation Attendants and interviewed nine (9) applicants responding to the ad.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board follow the recommendations of the interviewers and hire the following applicants for the 2024 Abbreviated Winter Recreation program effective January 12 through March 30, 2024.

Recreation Supervisor PT at \$ 17.41 per hour: Thomas McMullen

Recreation Attendants at \$ 15.20 per hour: Rebecca Alimonti, Chase Bolen, Quentin Centner, Hannah Cross, Alaina Kaczmarczyk, Nikolas Ondus, Madilyn Pawlak and Cecelia M. Young.

New Business

1. Resolution needed to set the date for the public hearing on the 2024 Kennel Special-Use permits

RESOLUTION # 209: **SET DATE FOR PUBLIC HEARING ON 2024 KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman McLean and seconded by Councilman Sion to set a Public Hearing on 2024 Dog Kennel Special-Use Permits for December 11, 2023 at 7:30 PM.

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 year 2024 Dog Kennel Special Use Permit applications for the following:

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

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 Constantine, 14996 South Quaker Road, Gowanda, NY 14070

Debbie Degenfelder, 2858 Lennox Road, Collins, NY 14034

Todd Struble, 13127 Ottenbecker Rd., Lawtons, NY 14091

A Public Hearing will be held on **Monday, December 11, 2023 at 7:30 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 13, 2023

Becky Jo Summers, Town Clerk

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin

Nay 0

2. Resolution needed to advertise for a clerk to the Town Justice

RESOLUTION # 210: **ADVERTISE FOR "CLERK TO THE TOWN JUSTICE" POSITION**

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

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin

Nay 0

WHEREAS, Town Justice Colleen Kinnaird has asked the Town Board to advertise for the position of Clerk to the Town Justice.

NOW, THEREFORE BE IT RESOLVED, the Collins Town Board approve the following ad to be placed in the Springville Pennysaver and the Gowanda Pennysaver and News to run for one printing each the weeks of November 25, 2023 and December 2, 2023 and shall require all applications be delivered to the Collins Town Clerk no later than 4pm on Wednesday December 6, 2023.

Town of Collins
is accepting applications for
CLERK TO TOWN JUSTICE POSITION
The position is part-time.

Preference given to Town of Collins residents.
Applications are available at the Collins Town Clerk's Office or

Town Website at: www.townofcollins.com

Application deadline is 4 PM December 6, 2023 at the Town Clerk's Office.

Applications may be delivered in person or
Mailed to Collins Town Clerk, PO Box 420, Collins, NY 14034

3. Resolution needed to approve short form of agreement between the town and MDA Consulting Engineering for the Collins Center Park improvements

RESOLUTION # 211: APPROVE SHORT FORM OF AGREEMENT BETWEEN THE TOWN OF COLLINS AND MDA CONSULTING ENGINEERS, PLLC FOR ENGINEERING CONSULTING SERVICES FOR THE COLLINS CENTER PARK IMPROVEMENT PROJECT

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

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin
Nay 0

WHEREAS, the Town of Collins wishes to make improvements to the Town Park in Collins Center, and

WHEREAS, the Collins Town Board has asked MDA Consulting Engineers, PLLC for their help in design, bidding, general services during construction, construction observation and any additional services for the project.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby accepts the Engineering Consultant Services proposal of MDA Consulting Engineers, PLLC for the Collins Center Park Improvements Project in the estimated amount of \$28,000, and that the Town Supervisor be authorized to sign the "Short Form of Agreement Between Owner and Engineer for Professional Services" with MDA Consulting Engineers, PLLC.

4. Discussion on the Town of Collins Kennel Agreement with Samantha Smith and Javan Tanner. We will meet with them regarding some items in the agreement.

5. Discussion on Wendel proposal for the 94-C Wind Project Assistance Agreement. The board questioned whether the Town needs this agreement at the present time, as EDF Renewables is not yet in the pre-application phase of the project. No action was taken by the Town Board.

Approval / Adoption of Abstract

Resolution # 212: ABSTRACT APPROVAL

Motion by Councilman Hotnich seconded by Councilman McLean that the bills be paid on abstract # 11 for 2023 dated November 13, 2023 for listed vouchers # 575 - 647 for \$ 146,050.96:

General – Townwide	23,931.90	Special Refuse Fund	2,657.68
General – Part Town	4,017.25	Water District # 1	27,964.51
Highway	24,096.99	Water District # 3	6,476.39
Highway Cold Storage	53,830.53	Water District #4	451.07
Transfer Station Improvements	1,788.00	Total	\$ 146,050.96
Special Lighting	836.64		

ADOPTED Aye 4 McLean, Sion, Hotnich, Martin
Nay 0

New Topics

1. We have received a request to use the LKP Community Center for pickle ball (not a part of the Senior group). A committee will be formed to discuss and set up some rules and regulations.

With no further business, on a motion of Councilman Hotnich seconded by Councilman McLean the meeting was adjourned at 7:52 PM.