

A 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 2<sup>nd</sup> day of November 2020.

Present: Kenneth Martin, Supervisor  
Mary Stelley, Councilman  
James Hotnich, Councilman  
Jacquelyn McLean, Councilman  
Jane Sion, Councilman (left 3:22pm)  
Becky Jo Summers, Town Clerk  
Susan Gamel, Bookkeeper

Also Present: Norm Johnson

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

Resolution # 193: **AGENDA APPROVAL**

Motion made by Councilman McLean seconded by Councilman Sion to approve the agenda as amended to add sexual harassment training and add discussions.

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

Public Hearing – 7:00 PM – 2021 Town of Collins Preliminary Budget

Supervisor Martin read the notice of Public Hearing

RESOLUTION # 194: **OPEN PUBLIC HEARING ON THE 2021 TOWN OF COLLINS ANNUAL PRELIMINARY BUDGET**

Motion made by Councilman Hotnich, seconded by Councilman Stelley to open the public hearing on the 2021 Town of Collins Annual Preliminary Budget at 7:00 PM.

**NOTICE OF PUBLIC HEARING FOR TOWN OF COLLINS  
ANNUAL PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the annual preliminary budget of the Town of Collins for the year 2021 has been completed and filed in the office of the Clerk of the Town of Collins, where it is available for inspection by any interested person during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Collins will meet and review said preliminary budget and hold a public hearing thereon at the Collins Town Hall, 14093 Mill Street, Collins, New York, Erie County, on the **2<sup>nd</sup> day of November 2020, at 7:00 P.M.** and any person may be heard in favor of or against the preliminary budget, as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town law, the proposed salaries of the following town officials are hereby specified as follows:

1. Town Councilman \$6,889.44 each per annum, or \$27,557.76 in total
2. Supervisor \$21,500.00 per annum base amount, and an additional \$1,500.00 to supervise the Water Department, making the total \$23,000.00 per annum
3. Town Clerk \$45,109.53 per annum
4. Superintendent of Highways \$60,035.81 base amount, and an additional \$2,000.00 to supervise the Parks and Transfer Station, making the total \$62,035.81 per annum

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

Supervisor Martin went through the overview of the preliminary budget.

RESOLUTION # 195: **CLOSE PUBLIC HEARING ON THE 2021 TOWN OF COLLINS ANNUAL PRELIMINARY**

**BUDGET**

Motion made by Councilman Stelley, seconded by Councilman Sion to close the public hearing on the 2021 Town of Collins Annual Preliminary Budget at 7:28 PM.

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

RESOLUTION # 196: **APPROVE TOWN OF COLLINS FIVE YEAR CAPITAL COST PLAN DATED NOVEMBER 2, 2020**

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

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

WHEREAS, the Collins Town Board maintains a Five-Year Capital Cost Plan in planning for future projects and Town Budgets, and

WHEREAS, the Town Board desires to update this plan yearly to make it current and ongoing.

NOW LET IT BE RESOLVED that the Town Board hereby approves the updated Five-Year Capital Cost Plan dated November 2, 2020 for the Town of Collins.

RESOLUTION # 197: **ADOPT 2021 TOWN OF COLLINS BUDGET**

Motion made by Councilman Hotnich, seconded by Councilman Sion to adopt the 2021 Preliminary Budget as the 2021 Town Budget.

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

Supervisor Martin thanked Sue Gamel, Bookkeeper for all her work on the budget and Councilman Sion thanked Mr. Martin for all his work.

New Topics

1. Councilman McLean spoke with Courtney Leith of the Little Einstein's. Courtney wants to let the kids use the gym. Supervisor Martin will look into it.

2. Received a telephone call for the Erie County Highway Dept. regarding Zoar Valley Road being paved from Foster Road to the Concord town line. The road is breaking up already and may only last a few years. Discussion on the Town doing a speed study and one for Cemetery Road from Quaker to the Village limit.

3. Update for the code book was distributed.

4. Received an email for not charging late fees this quarter for late water bills.

5. Looking into highway computer software from Williamson Law.

6. Seneca Nation has one water tap to the Taylor Hollow Road property and since they are outside the water district, they should be double rated. Supervisor Martin will check with Attorney Musacchio.

7. Just Solutions an IT group has set up a phone call meeting for Thursday, November 5<sup>th</sup>.

8. Councilman Sion reported that neither prison here will close and more inmates will be transferred here and more workers will be needed.

9. Last week Sue Gamel sent an email around regarding the use of LKP for parties. All agreed no gym use through December 31<sup>st</sup>.

Norm Johnson was thanked for bringing in a pa system for the board to try out.

Sexual harassment training will be done after the meeting is closed.

With no further business, on a motion of Supervisor Martin seconded by Councilman Hotnich the meeting was adjourned at 7:51 pm.

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Becky Jo Summers, Town Clerk

A 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 9<sup>th</sup> day of November 2020.

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

Also Present: Charles Siegle Code Enforcement Officer, Scott Martindale, Dog Control Officer  
 Thomas Siegle, Erie County Legislator John Mills, Cory McCandless and Joseph Mendelsohn of  
 Omni Navitas

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

Guest: Erie County Legislator John Mills reported on the County budget changes from last year and asked that if there is anything, he can do for us to let him know.

Resolution # 198: **AGENDA APPROVAL**

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

ADOPTED Aye 4 McLean, Hotnich, Stelley, Martin (Councilman Sion stepped out of the room)

Nay 0

Resolution #199: **MINUTES APPROVAL**

Motion made by Supervisor Martin, seconded by Councilman Hotnich to approve the minutes of the October 5<sup>th</sup>, 7<sup>th</sup> and 13<sup>th</sup> regular meetings.

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

Nay 0

Resolution # 200: **ABSTRACT APPROVAL**

Motion by Councilman McLean seconded by Councilman Sion that the bills be paid on abstract #11 for 2020 dated November 9, 2020 for listed vouchers # 632 – 690 for \$ 120,412.34:

General – Townwide	28,389.01	Special Refuse Fund	2,016.75
General – Part Town	9,445.72	Water District # 1	2,299.12
Highway	56,567.80	Water District # 3	1,101.78
Highway Electrical Upgrades	19,568.95	Water District # 4	5.17
Special Lighting	1,018.04	Total	\$ 120,412.34

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

Nay 0

**Reports of Department Heads and committees**

Attorney Musacchio reported the MBM assessment case has been settled with the assessed value lowered

Bicentennial committee minutes were read by Supervisor Martin.

Dog Control submitted his monthly report. A chip reader has been obtained.

Highway, Transfer Station and Parks departments report was read by the Supervisor.

Seniors Christmas party has been cancelled this year.

Town Clerk had sales in October of \$ 10,375.40 with the Town's portion \$ 9,771.26.

Water department report was read by the Supervisor.

**Board Reports**

Councilman McLean attended the bicentennial meetings, worked on the CDBG grant, posted wear mask signs, worked on Covid preparedness, worked on face book, the website, the PA system, and reviewed the vouchers.

Councilman Sion attended the Senior lunch and reviewed the vouchers.

Councilman Hotnich worked on Covid preparedness and reviewed the vouchers.

Councilman Stelley updated the website, worked on the CDBG grant, attended the prison advisory meeting and ethics webinar.

Supervisor Martin attended the Gowanda Ambulance building dedication.

All attended the budget workshops, the Association of Towns emergency preparedness webinar and the sexual harassment training.

Guest – Joseph Mendelsohn and Corey McCandles of Omni Navitas – Proposed Solar Projects

They have been in contact with MDA the engineering firm and a few additions have to be made.

From the first submission, the project has to move further south as they cannot build over wetlands.

There is a minor change in the acreage they will use. Attorney Musacchio asked for a list of towns

in Western New York that have projects. They plan on starting late 2021 early 2022. Omni Navitas

is the developer, they do not have anyone yet who will own the fields. When the owner is chosen,

they will be introduced to us and will do a change of ownership.

#### Old Business

1. Resolutions (201 and 202) needed to declare the Town Board's intent to act as lead agency for SEQR review of the proposed Omni Navitas Community Solar projects

**RESOLUTION # 201: COLLINS TOWN BOARD DECLARES ITS INTENT TO ACT AS LEAD AGENCY FOR SEQR REVIEW OF THE PROPOSED OMNI NAVITAS COMMUNITY SOLAR PROJECT**

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

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

WHEREAS, Omni-Navitas Holdings, LLC is undertaking the construction of a 5,000 Kw solar-based inverter generator system, located at 12819 New Oregon Road (North), Collins, NY 14034 (hereinafter referred to as "the Project"); and

WHEREAS, the Project requires the issuance of a Special Use Permit from the Town of Collins Town Board.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF COLLINS AS FOLLOWS:

1. The Town Board hereby determines that the project is a Type 1 Action pursuant to the State Environmental Quality Review Act (SEQR), Article 8 of the New York Environmental Conservation law and its implementing regulations, 6 NYCRR Part 617; and
2. The Town Board hereby declares itself SEQR Lead Agency, provided that no involved agency objects within 30 days of the date of this resolution, and
3. The Town Board hereby instructs the Supervisor, with the assistance of MDA Consulting Engineers, PLLC, to notify all interested and involved agencies of the Town Board's intent to serve as SEQR lead agency and to further initiate the coordinated review of the Project under the SEQR regulations; and
4. The Town Board hereby authorizes the Supervisor to sign environmental review documents for the Project on their behalf.

**RESOLUTION # 202: COLLINS TOWN BOARD DECLARES ITS INTENT TO ACT AS LEAD AGENCY FOR SEQR REVIEW OF THE PROPOSED OMNI NAVITAS COMMUNITY SOLAR PROJECT**

Motion by Councilman Hotnich seconded by Councilman Sion that the following resolution is:

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

WHEREAS, Omni-Navitas Holdings, LLC is undertaking the construction of a 5,000 Kw solar-based inverter generator system, located at 12819 New Oregon Road (South), Collins, NY 14034

(hereinafter referred to as "the Project"); and

WHEREAS, the Project requires the issuance of a Special Use Permit from the Town of Collins Town Board.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF COLLINS AS FOLLOWS:

1. The Town Board hereby determines that the project is a Type 1 Action pursuant to the State Environmental Quality Review Act (SEQR), Article 8 of the New York Environmental Conservation law and its implementing regulations, 6 NYCRR Part 617; and
  2. The Town Board hereby declares itself SEQR Lead Agency, provided that no involved agency objects within 30 days of the date of this resolution, and
  3. The Town Board hereby instructs the Supervisor, with the assistance of MDA Consulting Engineers, PLLC, to notify all interested and involved agencies of the Town Board's intent to serve as SEQR lead agency and to further initiate the coordinated review of the Project under the SEQR regulations; and
  4. The Town Board hereby authorizes the Supervisor to sign environmental review documents for the Project on their behalf.
2. Resolution needed to approve professional services agreement with MDA Consulting Engineers, PLLC for review of proposed Omni Navitas Community solar projects – A check was received from Omni for professional services for \$3,000.00 that will be paid over to MDA. An application is being completed for 'in lieu of taxes'.

**RESOLUTION # 203: APPROVE PROFESSIONAL SERVICES AGREEMENT WITH MDA CONSULTING ENGINEERS, PLLC FOR REVIEW OF PROPOSED OMNI NAVITAS COMMUNITY SOLAR PROJECTS**

Motion by Supervisor Martin seconded by Councilman McLean that the following resolution is:

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

WHEREAS, upon request from the Town of Collins, MDA Consulting Engineers, PLLC has submitted a proposal for engineering services for Site Plan Review and SEQR Review of the proposed Omni Navitas Community Solar Project.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board hereby approves entering into a Professional Services Agreement with MDA Consulting Engineers, PLLC in the estimated amount of \$3,000.00 to perform Site Plan Review and SEQR Review of the Omni Navitas Community Solar Projects and that the Collins Town Supervisor be authorized to sign the agreement.

3. Resolution needed to accept September 2020 Supervisor's report

**RESOLUTION # 204: ACCEPT SEPTEMBER 2020 SUPERVISOR'S REPORT**

Motion made by Councilman Stelley and seconded by Councilman Hotnich to accept the Town of Collins Supervisor's Report as submitted, for the month of September 2020.

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

**New Business**

1. Resolution needed to set a public hearing on the 2021 kennel special use permits

**RESOLUTION # 205: TO SET PUBLIC HEARING ON 2021 KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Hotnich and seconded by Councilman McLean to set a Public Hearing on 2021 Dog Kennel Special-Use Permits for December 14, 2020 at 7:30 PM.

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



WHEREAS, the Collins Town Board wishes to codify and supplement L.L. No. 1-2019 Flood Damage Prevention into the Town Codes, and

WHEREAS, the Town has received an estimate from General Code to perform the work required to codify and supplement L.L. No. 1-2019 at an estimated cost between \$1,475.00 and \$1,770.00.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board hereby approves having General Code codify and supplement L.L. No. 1-2019 Flood Damage Prevention into the Town Code at an estimated cost between \$1,475.00 and \$1,770.00, that the amount be paid from the 2020 Collins Town Budget Line A1989.400 Unclassified (Fixed Assets, Code, etc.) and that the Collins Supervisor be authorized to sign the agreement.

6. Resolution needed to approve change order No. 3 for highway barn electrical upgrades project

**RESOLUTION # 210: APPROVE CHANGE ORDER NO. 3 FOR HIGHWAY BARN ELECTRICAL UPGRADES PROJECT**

Motion by Supervisor Martin seconded by Councilman Stelley that the following resolution is:

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

WHEREAS, the Collins Highway Department has expressed they would like to have The State Group Industrial (USA) Ltd, contractor for the Highway Barn Electrical Upgrades Project, install two 480V 30amp outlets for the town highway welder, and

WHEREAS, The State Group has proposed Change Order No. 3 for the project in the amount of \$2,370.00 to install the two outlets.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board hereby approves Change Order No. 3 for the Highway Barn Electrical Upgrades Project in the amount of \$2,370.00 to have The State Group supply and install two 480-volt 30-amp welding outlets from new panels, provide two 480-volt 30-amp three phase breakers and provide (2) 60-foot lengths of SO cable and that the Collins Supervisor be authorized to sign Change Order No. 3.

7. Resolution needed to approve payment application No. 3 to the State Group Industrial (USA) Ltd for the highway barn electrical upgrades project

**RESOLUTION # 211: APPROVE PAYMENT APPLICATION NO. 3 TO the STATE GROUP INDUSTRIAL (USA) LTD FOR THE HIGHWAY BARN ELECTRICAL UPGRADES PROJECT**

Motion by Councilman McLean seconded by Councilman Hotnich that the following resolution is:

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

WHEREAS, the contractor for the Highway Barn Electrical Upgrades Project, The State Group Industrial (USA) Ltd, has submitted progress payment application No. 3, 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. 3 in the amount of \$18,717.38 and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

8. Discussion – Little Einsteins use of LKPCC gym – Courtney Leith asked for use of the gym. After discussion, the Board agreed to not allow gym use at this time.



9. Court room public address system that was used at the last meeting was discussed. Information was passed out to the Board to read over.

10. Discussion on Town supplied cell phones – It was suggested for Highway, Supervisor, transfer station and court to have time. Supervisor and transfer station do not want one. Highway one would be used when the Superintendent is not at work. Supervisor Martin will research this further.

With no further business, on a motion of Councilman Hotnich seconded by Councilman McLean the meeting was adjourned at 8:40 pm.

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Becky Jo Summers, Town Clerk