

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 11<sup>th</sup> day of December 2023.

Present:	Kenneth Martin, Supervisor Jacquelyn McLean, Councilman Jane Sion, Councilman Mary Stelley, Councilman	James Hotnich, Councilman Chris Gerling, Highway Superintendent Becky Jo Summers, Town Clerk
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Also Present: Robert O'Connor, Howie Lamb, Brenda Overhoff, David & Diane Gamel, Jeffrey Souder from Assemblyman David DiPietro's Office

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

**RESOLUTION # 213: AGENDA APPROVAL**

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

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

**RESOLUTION # 214: MINUTES APPROVAL**

Motion made by Supervisor Martin, seconded by Councilman Hotnich to approve the minutes of the November 13 meeting.

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

**RESOLUTION # 215: APPROVE BUDGET MODIFICATION AND TRANSFERS**

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

Transferred From:	A1620.400 Building Contractual	40.00
Transferred To:	A1620.405 Building – Webpage	40.00
Transferred From:	A1620.400 Building - Contractual	200.00
Transferred To:	A1620.420 Building – Light	200.00
Transferred From:	A1990.000 Special Items - Contingent	2,000.00
Transferred To:	A1989.430 Special Items – Other Gnl Govt Spt	2,000.00
Transferred From:	A1990.000 Special Items - Contingent	550.00
Transferred To:	A5010.400 Supt. Highway – Contractual	550.00
Transferred From:	B7110.220 Parks – Improvement	200.00
Transferred To:	B7110.400 Parks – Contractual	200.00
Transferred From:	B7110.220 Parks – Improvement	2,500.00
Transferred To:	B7110.410 Parks – Beautification Contractual	2,500.00
Transferred From:	SR8160.410 Refuse – Sticker Purchase	500.00
Transferred To:	SR8160.400 Refuse - Contractual	500.00
Transferred From:	SW1 8310.121 Water Admin – Personal Service	100.00
Transferred To:	SW1 8310.411 Water Admin – Office Expenses	100.00
Transferred From:	SW1 8330.200 Water Purification Equipment	1,200.00
Transferred To:	SW3 8330.400 Water Purification– Contractual	1,200.00

Increase to the budget for Interest and Earnings revenue

SW1-2401 in the amount of \$3,000.00

Increase to the budget for the Transportation & Distribution – Meters expense

SW1-8340.410 in the amount of \$3,000.00

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

Jeffrey Souder from Assemblyman David DiPietro's Office asked if there were any issues for him to take back to the office and wished all a Merry Christmas and a Happy New Year.

#### Reports of Department Heads and committees

Building and grounds reported the cold storage building project is done, looking into a back-up generator for the water and the transfer station project is almost done.

Dog control report was submitted.

Highway reported they plowed a few times since last meeting, the salt shed is full, equipment is being put in the new building.

Town Clerk reported sales in November of \$ 5,104.00 with the Town's portion \$ 4,178.21.

Water report was received from Gowanda.

#### Board Reports

Councilman McLean met with the new dog control officer, closed out the harassment training, attended the building and grounds meeting, reviewed the vouchers and updated Facebook and the website.

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

Councilman Hotnich reviewed the vouchers.

Councilman Stelley first came on the board in 1996 and has helped obtain some grants and the town's handbook and was thanked for her years of service to the town.

Supervisor Martin reported we have to submit an application to the NYS DOT for the road signs. Spoke with Kevin Campbell on the wind studies where nothing has moved on the project.

#### Old Business

1. Resolution needed to approve the Town of Collins Kennel Agreement

**RESOLUTION # 216: APPROVE THE TOWN OF COLLINS KENNEL AGREEMENT**

Motion made by Supervisor Martin, seconded by Councilman Hotnich that the Collins Town Board hereby approves the Kennel Agreement with Samantha Smith and Javan Tanner to provide dog kennel services for the Town of Collins

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

#### New Business

1. Resolution needed to approve certificate of substantial completion for Hunting Valley Construction for the transfer station project

**RESOLUTION #217: APPROVE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR HUNTING VALLEY CONSTRUCTION, INC (CONTRACTOR) FOR THE TRANSFER STATION IMPROVEMENTS PROJECT**

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

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

WHEREAS, on November 7, 2023, MDA Consulting Engineers, PLLC, performed a walk-through of the project site, and

WHEREAS, MDA Consulting Engineers, PLLC determined that Hunting Valley Construction, Inc has substantially completed their work with no further items to be completed related to this contract.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves the Certificate of Substantial Completion for the Transfer Station Improvements Project contract with Hunting Valley Construction, Inc, and to authorize the Town Supervisor to sign the Certificate.

Public hearing scheduled for 7:30 pm

Resolution needed to open public hearing scheduled for this evening.

**RESOLUTION # 218: OPEN PUBLIC HEARING ON THE 2024 DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Supervisor Martin seconded by Councilman Hotnich to open the public hearing on the 2024 Dog Kennel Special-Use Permits at 7:30 PM.

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 Road, 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 Section 30.65 Kennel of the Town of Collins Municipal Code, impose conditions and restrictions upon said Dog Kennel Special-Use Permit.

The notice of public hearing was read by Attorney Musacchio. Supervisor Martin explained that the applicants have put in to renew their kennel permits that allow them to have four or more dogs.

Resolution needed to close the public hearing

**RESOLUTION #219: CLOSE PUBLIC HEARING ON THE 2024 DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Hotnich, seconded by Councilman McLean to close the public hearing on the 2024 Dog Kennel Special-Use Permits at 7:32 PM.

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

Resolution needed to approve the 2024 dog Kennel Special-Use permits

**RESOLUTION # 220: APPROVE 2024 DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Martin and seconded by Councilman Hotnich to approve the 2024 Dog Kennel Special-Use permits for the following applicants:

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 Road, Lawtons, NY 14091

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

New Business (cont'd)

2. Resolution needed to approve payment to Hunting Valley Construction for the transfer station improvements project

**RESOLUTION #221: APPROVE PAYMENT APPLICATION NO. 1 TO HUNTING VALLEY CONSTRUCTION, INC (CONTRACTOR) FOR THE TRANSFER STATION IMPROVEMENTS PROJECT**

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

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

WHEREAS, the contractor for the Transfer Station Improvements Project, Hunting Valley Construction, Inc, 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 in the amount of \$180,720.00, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

3. Set date for 2024 organizational meeting

RESOLUTION # 222: **SET DATE FOR 2024 ORGANIZATIONAL MEETING**

Motion made by Councilman Hotnich, seconded by Councilman Sion that the Collins Town Board hereby sets the date of the 2024 Organizational Meeting to be Tuesday, January 2, 2024.

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

Approval / Adoption of Abstract

Resolution # 223: **ABSTRACT APPROVAL**

Motion by Councilman McLean seconded by Councilman Hotnich that the bills be paid on abstract # 12 for 2023 dated December 11, 2023 for listed vouchers # 648 - 712 for \$ 256,661.04:

General – Townwide	19,839.35	Special Lighting	878.51
General – Part Town	1,693.04	Special Refuse Fund	981.72
Highway	34,122.31	Water District # 1	1,365.25
Drainage Improvements	3,235.60	Water District # 3	13,825.26
Transfer Station Improvements	180,720.00	Total	\$ 256,661.04

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

New Topics - Discussion and Comments

1. 2024 Town Pay Rates – salaried personnel's salary will increase by 3% and hourly salaries will increase by \$ 1.00.

2. Town Permits Fee Schedule – a committee will be formed of Supervisor Martin and Councilman Hotnich.

3. LKP Community Center Request for Use of Facility Form – will be made up.

4. Wendel Proposal Development of Windmill Law for the Town of Collins – the price was lowered from \$ 7,500.00 to \$ 5,000.00. The Town is waiting for a new scaled back proposal from Wendel for this service.

5. EDF Renewals – Collins Windfarm Webinar – a webinar of information can be put on our website. We will not endorse the project.

6. Town of Collins Waste Haulers Permit – the Town has had a recycle law for many years and the town code says all haulers (including private) are to have a permit.

With no further business, on a motion of Councilman McLean seconded by Councilman Sion the meeting was adjourned at 7:59 PM.

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Becky Jo Summers, Town Clerk