

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 10th day of February 2020.

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

Others Present: Doug Martindale, Scott Martindale, Chris Jeanniton, Derek Rule from MDA, Dick Agle, Candace Termer, Zack Wilcox,

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

Resolution # 83: **AGENDA APPROVAL**

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

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

Resolution # 84: **MINUTES APPROVAL**

Motion made by Councilman Stelley seconded by Councilman McLean to approve the minutes of the January 13, 2020 and January 29, 2020 meetings.

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

Resolution # 85: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman McLean that the bills be paid on abstract #20 for 2019 dated February 10, 2020 for listed vouchers # 918 - 929 for \$ 21,640.54:

General – Townwide	16,614.96	Water District # 1	1,363.68
General – Part Town	150.79	Water District # 3	<u>349.36</u>
Highway	3,119.30	Total	\$ 21,640.54
Special Refuse	42.45		

This will be the last abstract for 2019.

And, on abstract #2 for 2020 dated February 10, 2020 for listed vouchers # 12 – 94 for \$ 129,038.73:

General – Townwide	64,143.30	Special Refuse Fund	1,726.61
General – Part Town	469.50	Water District # 1	1,937.94
Highway	58,658.83	Water District # 3	766.81
Water Line Replacement – Mill	50.22	Water District # 4	<u>.97</u>
Highway Cold Storage	51.84	Total	\$ 129,038.73
Special Lighting #1	1,232.71		

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

Department Reports

Bicentennial committee minutes were submitted.

Code Enforcement officers handed out their monthly report.

Attorney wrote litigation for the auditor and did research on Kathy Lane.

Highway report was read by the Supervisor.

Liberty Fest will be July 11th, the band and fireworks have been contacted.

Recreation report was given to the board.

The senior's programs are well attended

Town Clerk Summers reported January sales of \$ 4,659.45 with the town's portion \$ 4,523.83.

Water Department report received from Gowanda: four work orders in Dist. #3,

Board Reports

Councilman McLean attended the CCFD installation dinner, senior luncheons, Community Torch, Liberty Fest meetings, interviewed for court officer, spoke with Chris on signs, helped with the mailing of the tax bills and reviewed the vouchers.

Councilman Sion attended the CCFD installation dinner, attended EC Planning Board meeting, helped with the mailing of the tax bills and reviewed the vouchers.

Councilman Hotnich reviewed the vouchers, helped stamp tax envelopes and attended the bid openings.

Councilman Stelley updated the website, attended the Liberty Fest meeting, interviewed for court officer, spoke with Mark Brown regarding computers.

Supervisor Martin attended the CCFD installation dinner, attended Assoc of EC Govts meeting and attended the prison meeting.

RESOLUTION # 86: **APPROVE 2019 BUDGET MODIFICATIONS & TRANSFERS TO RESERVES**

Motion made by Supervisor Martin, seconded by Councilman Stelley to approve the following 2019 Budget Modifications & Transfers to Reserves.

Transfers to Reserves:

Fund	Budgeted:	Transfer from:	Transfer to:
A	\$ 50,000.00	A 0962.400 To Fund Reserve	A 230 Capital Reserve
B	\$ 5,000.00	B 0962.400 To Fund Reserve	B 202 Capital Reserve
DB	\$450,000.00	DB 0962.400 To Fund Reserve	DB 202 Capital Reserve
SR	\$ 15,000.00	SR 0962.400 To Fund Reserve	SR 230 Capital Reserve

A Fund:

Transfer From:		Transfer To:	
A1989.400 Unclassified Code	1,195.00	A1620.400 Shared Services – Contractual	1,195.00
A1620.410 Shared Services Re	189.75	A1620.440 Shared Services Telephon	189.75
A5132.460 Highway Supplies	59.56	A5132.400 Highway Telephone	59.56

DB FUND:

Transfer From:		Transfer To:	
DB5110.400 Highway Pt Tn- Contractual	2,987.90	DB5110.100 Hwy Pt Tn – Personnel	2,987.90
DB5148.400 Snow C – Contractual	1,265.54	DB5148.100 Snow C – Personnel	1,265.54

SR FUND:

Transfer From:		Transfer To:	
SR-9040.800 Workers Compensation	432.07	SR-9010.800 Retirement	432.07

SW1 FUND:

Transfer From:		Transfer To:	
SW1-8340.400 Transp/Distrib - Contractual	92.25	SW1-8330.410 Water Purification	-
SW1-9010.810 Retirement	77.00	SW1-9040.810 Compensation Insurance	77.00

SW3 FUND:

Transfer From:		Transfer To:	
SW3-8330.400 Water Purification -Cont'l	560.25	SW3 8330.410 Water Purific - Testing	560.25

SW4 FUND:

Transfer From:		Transfer To:	
SW4-8310.426 Water Admin- Coll of Bills	1.97	SW4-8310.416 Water Admin – Ofc Exp	1.97
SW4-8340.400 Equip/Capital Outlay Cont'l	0.30	SW4-8340.410 Equip/Capl Outlay Meters	0.30
ADOPTED	Aye 5	McLean, Sion, Hotnich, Stelley, Martin,	
	Nay 0		

RESOLUTION # 87: **APPROVE 2020 BUDGET MODIFICATIONS & TRANSFERS TO RESERVES**

Motion made by Councilman Hotnich, seconded by Councilman McLean to approve the following 2020 Budget Modifications & Transfers to Reserves.

A Fund:

Transfer From:

A1940.400 Contingency Fund 605.35

Transfer To:

A1910.400 Unallocated Insurance 605.35

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

Old Business

1. Resolution to accept the December 2019 Supervisor's report

RESOLUTION # 88: **ACCEPT DECEMBER 2019 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 December 2019.

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

New Business

1. Approve purchase of standby generator for highway barn

RESOLUTION # 89: **AWARD CONTRACT FOR MILL STREET WATERLINE REPLACEMENT PROJECT**

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

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

WHEREAS, the Town of Collins has resolved to undertake a capital improvement project to replace the existing 2" water main and associated services at the southern end of Mill Street, and

WHEREAS, the Town of Collins has publicly advertised the above referenced project to solicit bids to complete the scope of work defined within the Contract Documents, and

WHEREAS, bids were received, opened and read aloud at a publicly opened meeting at 11:00 a.m. on Friday, February 7, 2020, and

WHEREAS, Legend Excavating, LLC was the successful low-bidder in the amount of \$39,500.00 for the base bid.

NOW, THEREFORE, LET IT BE RESOLVED THAT:

1. The Town Board authorizes the award of this contract to Legend Excavating, LLC in the amount of \$39,500.00 for the base bid.

2. The Town Board authorizes the Town Supervisor to sign the Notice of Award for this contract.

3. The Town Board authorizes the Town Supervisor to sign the Agreement and Notice to Proceed for this contract, contingent upon receiving acceptable bonds and insurances from the Contractor (Legend Excavating LLC).

4. This resolution shall take effect immediately.

RESOLUTION # 90: **AWARD CONTRACT FOR HIGHWAY BARN ELECTRICAL UPGRADES PROJECT**

Motion made by Councilman Stelley and seconded by Councilman Sion that the following resolution is:

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

WHEREAS, the Town of Collins has resolved to undertake a capital improvement project to upgrade the existing electric service to the Town of Collins Highway Barn, and

WHEREAS, the Town of Collins has publicly advertised the above referenced project to solicit bids to complete the scope of work defined within the Contract Documents, and

WHEREAS, bids were received, opened and read aloud at a publicly opened meeting at 11:30 a.m. on Friday, February 7, 2020, and

WHEREAS, The State Group was the successful low-bidder in the amount of \$51,104.00 for the

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base bid, plus Alternate No. 1.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board authorizes the award of this contract to The State Group in the amount of

\$51,104.00 for the base bid, plus alternates.

2. The Town Board authorizes the Town Supervisor to sign the Notice of Award for this contract.
3. The Town Board authorizes the Town Supervisor to sign the Agreement and Notice to Proceed for this contract, contingent upon receiving acceptable bonds and insurances from the Contractor (The State Group).
4. This resolution shall take effect immediately.

RESOLUTION # 91: APPROVE PURCHASE OF STANDBY GENERATOR FOR HIGHWAY BARN

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

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

WHEREAS, the Town of Collins has resolved to procure a new natural gas standby generator, for installation under the Town Highway Barn Electrical Upgrades Contract, and

WHEREAS, the Town of Collins has utilized the New York State OGS – Hazardous Incident Response Equipment (H.I.R.E.) system to meet the requirements of the Town's Procurement Policy, and

WHEREAS, Better Power, Inc. is a contract holder for NYS H.I.R.E. Multiple Award Contract #PC66786, and

WHEREAS, Better Power, Inc. has provided a quote for the necessary generator, and desired additional options for a 60kW, 277/480V, natural gas generator in the amount of \$36,568.97.

NOW, THEREFORE, LET IT BE RESOLVED THAT:

1. The Town Board authorizes the award of this contract to Better Power, Inc. in the amount of \$36,568.97 for the total equipment, plus options.
2. The Town Board authorizes the Town Supervisor to sign the Agreement for this contract and submit a purchase order to Better Power, Inc. for the desired equipment.
3. The Town Board authorizes the Town Supervisor to sign the Notice to Proceed for this contract and Assignment Exhibits to the Agreement, contingent upon receiving acceptance from Better Power, Inc.
4. This resolution shall take effect immediately.

RESOLUTION # 92: APPROVE EXCESS 2019 SALES TAX ALLOCATION TO DB FUND

Motion made by Councilman Hotnich, seconded by Councilman Sion to allocate the excess 2019 sales tax revenue of \$52,117.29, and modify the appropriate budget line as follows:

DB-1120 - Non-Property Tax Distribution, increased by \$52,117.29.

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

RESOLUTION # 93: SCHEDULE PUBLIC HEARING ON COLLINS FIRE PROTECTION DISTRICT NO. 1 CONTRACT

Motion made by Supervisor Martin and seconded by Councilman Hotnich to schedule a public hearing on the "Collins Fire Protection District No. 1 Contract" for Monday, March 9, 2020 at 7:30 PM.

**NOTICE OF PUBLIC HEARING FOR TOWN OF COLLINS FIRE PROTECTION
DISTRICT NO. 1 CONTRACT WITH VILLAGE OF GOWANDA**

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on Monday, March 9, 2020 at 7:30 PM at the Collins Town Hall, 14093 Mill Street, Collins, New York on the proposed contract with the Village of Gowanda for the years 2021, 2022 and 2023 to supply fire protection to the Town of Collins Fire Protection District No. 1 (Rosenburg District).

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The proposed fire protection contract with the Village of Gowanda includes payments of \$21,380.00 in 2021, \$21,594.00 in 2022, and \$21,810.00 in 2023.

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

RESOLUTION # 94: HIRING OF CONSTABLE/COURT OFFICER FOR COLLINS TOWN COURT

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

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

WHEREAS, the Town of Collins employs a pool of four Constable/Court Officers to provide order and safety on Town Court nights, and

WHEREAS, the Town Board wishes to replace one of the Constable/Court Officers due to resignation, in order to cover all court nights throughout a Constable/Court Officers absence.

NOW LET IT BE RESOLVED that the Collins Town Board hereby approves the appointment of Thomas Harrison to the position of Constable/Court Officer for the Town of Collins Court at a starting salary of \$14.70 per hour.

With no further business, on a motion of Councilman Hotnich seconded by Councilman Sion the meeting was adjourned at 8:48 pm.

Becky Jo Summers, Town Clerk