

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 8th day of February 2021.

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

Also Present: Chris Jeanniton, Cory McCandless of Omni, Christine, Christopher and David Agle, Ronald Wittmeyer and wife

Supervisor Martin called the meeting to order at 7:07 PM with the pledge to the Flag.

Resolution # 79: **AGENDA APPROVAL**

Motion made by Supervisor Martin seconded by Councilman Hotnich to approve the agenda after adding a discussion under new business regarding Bahgat presented.

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

Resolution #80: **MINUTES APPROVAL**

Motion made by Councilman Sion, seconded by Councilman McLean to approve the minutes of the January 11th and 25th meetings.

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

RESOLUTION # 81: **APPROVE BUDGET MODIFICATIONS AND TRANSFERS**

Motion made by Councilman McLean and seconded by Councilman Hotnich to approve the following Budget Modification and Transfers for Budget Year 2020:

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

2020 Budget

A FUND

Increase:	A1355.400 Assessor Contractual	\$1,350.67
Increase:	A1340.100 Budget Officer Personnel	\$ 694.36
Increase:	A5010.400 Transportation Admin Contractual	\$ 158.50
Decrease:	A1940.400 Contingency	\$2,203.53

B Fund

Increase:	B9010.800 State Retirement	\$ 622.13
Decrease:	B1940.400 Contingency	\$ 622.13

DB Fund

Increase:	DB5110.100 Highway Part Town Personnel	\$ 788.46
Increase:	DB5130.100 Highway Mechanic Personnel	\$2,887.38
Decrease:	DB5110.400 Highway Part Town Contractual	\$3,675.84
Increase:	DB9010.800 Retirement	\$7,325.02
Decrease:	DB9040.800 Compensation Insurance	\$7,325.02

SR Fund

Increase:	SR8160.100 Refuse Garbage – Personnel	\$2,724.32
Decrease:	SR8160.400 Refuse Garbage Contractual	\$2,724.32
Increase:	SR8160.800 State Retirement	\$ 305.02
Increase:	SR9030.800 Social Security	\$ 130.72
Decrease:	SR9040.800 Workers Compensation	\$ 435.74

SW1 FUND

Increase:	SW1-9040.810 Comp Insurance	\$ 20.67
Decrease:	SW1-9010.810 Retirement	\$ 20.67

SW3 Fund

Increase:	SW3-8310.415 Water Admin Office	\$ 139.71
Increase:	SW3-8330.410 Water Purification Testing	\$ 39.00
Decrease:	SW3-1420.450 Legal	\$ 178.71

SW4 Fund

Increase:	SW4-8389.400 Other Water Expenses Contractual	\$.02
Decrease:	SW4-8310.416 Water Admin Office Expense	\$.02

Transfer to Reserve – Budgeted Amount

General Fund A	\$100,000.00
General Fund B	\$ 50,000.00
Highway Fund DB	\$300,000.00
Transfer Station SR	\$ 20,000.00
Water Dist. #4 SW4	\$ 1,736.50

RESOLUTION # 82: **APPROVE 2021 BUDGET MODIFICATION**

Motion made by Supervisor Martin and seconded by Councilman Sion to approve a modification of the 2021 Collins Town Budget to create a new budget line A1320.410 Contractual – Accounting and Payroll, to cover expenses associated with the Town's new bookkeeping and payroll firm Bahgat & Laurito-Bahgat and that \$20,000.00 be transferred from budget line A1340.100 Budget Officer – Personnel Services to the new budget line A1320.410.

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

Resolution # 83: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman McLean that the bills be paid on abstract #14 for 2020 dated February 8, 2021 for listed vouchers # 824 – 841 for \$ 52,611.64 and abstract # 2 for 2021 dated February 8, 2021 for listed vouchers # 8- 70 for \$ 52,159.06:

14 of 2020

General – Townwide	3,461.77	Special Refuse Fund	408.54
Highway	44,878.72	Water District # 1	1,355.16
Highway Electrical Upgrades	2,251.50	Water District # 3	<u>231.05</u>
Special Lighting	24.90	Total	\$ 52,611.64

2 of 2021

General – Townwide	13,876.78	Special Refuse Fund	1,458.89
General – Part Town	59.45	Water District # 1	774.01
Highway	32,429.25	Water District # 3	2,331.63
Rosenburg Fire Dist.	1.84	Water District # 4	<u>1.24</u>
Special Lighting # 1	1,225.75	Total	\$ 52,159.06

Emergency Service Dispatch .22

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

Reports of Department Heads and committees

Bicentennial committee minutes were read by the Supervisor.

Building and grounds committee minutes were received.

Dog Control submitted his monthly reports.

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

Town Clerk had sales in January of \$ 4,416.50 with the Town's portion \$ 3,585.36.

Water department report was read by the Supervisor.

Board Reports

Councilman McLean attended the Bicentennial meeting, updated face book and reviewed the vouchers.

Councilman Sion reviewed the vouchers.

Councilman Hotnich reviewed the vouchers, attended a hazmat meeting and got PPE items to all buildings.

Councilman Stelley updated the website, met with Sue Gamel, Bookkeeper and reviewed the vouchers.

Supervisor Martin reported Erie County is finally going to fix the Ketchum Road slide, has been working on the Erie County Hazmat mitigation plan, attended the zoom meeting with Senator Gallivan.

Old Business

1. Resolution needed to accept December 2020 Supervisor's report

RESOLUTION # 84: **ACCEPT DECEMBER 2020 SUPERVISOR'S REPORT**

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

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

New Business

1. Resolution needed to close out the Mill Street waterline replacement project.

RESOLUTION # 85: **CLOSE OUT MILL STREET WATERLINE REPLACEMENT PROJECT**

Motion made by Supervisor Martin 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 engaged the construction firm of Legend Excavating Inc to replace a watermain line on Mill Street in the Town of Collins, and

WHEREAS, Legend Excavating Inc has completed the work and has supplied the Town with As-Built Drawings, and

WHEREAS, the Town has paid the contractor in full the amount of \$43,700 which includes the original contract amount of \$39,500 plus the amount of \$4,200 for Change Order No. 1.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves the closeout of the Mill Street Waterline Replacement Project.

2. Resolution needed to grant permission to USDA to place European Cherry Fruit Fly traps on Town properties.

RESOLUTION # 86: **GRANTING PERMISSION TO USDA TO PLACE EUROPEAN CHERRY FRUIT FLY TRAPS ON TOWN PROPERTIES**

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

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

WHEREAS, the United States Department of Agriculture (USDA) has requested permission from the Town of Collins to place sticky traps on Town owned properties for the purpose of monitoring the spread of the European Cherry Fruit Fly (ECFF) across NYS.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby grants permission to the USDA to place sticky traps on Town Properties for the purpose of monitoring the spread of the ECFF.

3. Resolution needed to appoint Town Emergency Manager and Deputy Emergency Manager

RESOLUTION # 87: **TO CHANGE TOWN OF COLLINS EMERGENCY MANAGER POSITION TO AN ANNUALLY APPOINTED POSITION**

Motion made by Councilman McLean 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 the appointed positions of Emergency Manager and Assistant Emergency Manager, and

WHEREAS, these positions were completed as a onetime appointment.

NOW THEREFORE BE IT RESOLVED that the appointment of Emergency Manager and Assistant Emergency Manager positions with the Town of Collins be done as annual appointments during the Town of Collins Annual Organizational Meeting.

4. Resolution needed to authorize Bahgat & Laurito-Bahgat CPA's to have access to Town of Collins bank accounts.

Councilman Stelley will be the second administrator on the town accounts.

RESOLUTION # 88: **TO CHANGE TOWN OF COLLINS EMERGENCY MANAGER POSITION TO AN ANNUALLY APPOINTED POSITION**

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

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

WHEREAS, the Collins Town Board has engaged Bahgat & Laurito-Bahgat Certified Public Accountants and Advisors (B&LB) to perform accounting and payroll services for the town of Collins, and

WHEREAS, in order to perform their duties in regards to bank reconciliations, check preparations, transfer of monies between funds and conduct wire transfers, B&LB must be authorized by the Town of Collins to have access to the town bank accounts.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby authorizes that B&LB be given the authority to access the Town's General Fund Money Market, Trust and Agency, Payroll, Special Account and General Fund accounts with Community Bank, NA for the purposes of account reconciliations, transfer of funds between accounts and for wire transfers and that B&LB also be given the authority to access the Town's ICE and Municipal Money Management accounts with Cattaraugus County Bank for the purpose of account reconciliations only.

5. Discussion on Omni Navitas Holdings, LLC proposed solar projects: an environmental review is required by the State. Omni filled out part one and MDA filled out part 2 for the Town. Omni and the landowner want the Town to rescind the positive declaration. At the last meeting, a community benefit agreement was discussed in which Omni would pay an amount to the Town. The money could be used to promote agriculture in Town.

Mr. Martin read a letter from Derek Rule of MDA on the SEQR follow-up. Omni sent a letter to Ag and Markets that stated the landowner is not considering using this land for farming. Councilman Hotnich would like to see the official letter of no-effect from the agency. This Pilot Payment would be annually and is \$5,000.00 per mgw split between the town, school district and county.

The Town will hold off and Attorney Musacchio stated we will need a declaration from Omni on the pilot program. Corey McCandless will send us a copy of the Ag and Markets letter as soon as they receive it.

Resolution needed to grant an extension until March 8, 2021 to the Collins Planning Board for site plan review of the proposed Omni Navitas Holdings, LLC Solar Projects

RESOLUTION # 89: **GRANTING EXTENTION UNTIL MARCH 8, 2021 TO THE COLLINS PLANNING BOARD FOR SITE PLAN REVIEW OF THE PROPOSED OMNI NAVITAS HOLDINGS, LLC SOLAR PROJECTS**

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

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

WHEREAS, the Collins Town Board at its December 14, 2020 meeting referred the proposed Omni Navitas Holdings, LLC Solar Projects to the Collins Town Planning Board for review and recommendation, and

WHEREAS, the SEQR process for the Projects has not yet reached completion.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby grants an extension until March 8, 2021 for the Collins Town Planning Board to review and make recommendations on the proposed Solar Projects to the Collins Town Board.

With no further business, on a motion of Councilman Hotnich seconded by Councilman Stelley the meeting was adjourned at 8:55 PM.

Becky Jo Summers, Town Clerk