

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 12<sup>th</sup> day of April 2021.

Present: Kenneth Martin, Supervisor Jane Sion, Councilman  
 Mary Stelley, Councilman Becky Jo Summers, Town Clerk  
 James Hotnich, Councilman James Musacchio, Attorney (8:32)  
 Jacquelyn McLean, Councilman

Also Present: David & Diane Gamel, Fred & Brenda Overhoff, Michael & Lynn Platt Krencik, Ellen Wilson, Candace Termer, Chris & Pam Rychlik and Doug Martindale

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

Resolution # 100: **AGENDA APPROVAL**

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

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

Resolution # 101: **MINUTES APPROVAL**

Motion made by Councilman McLean, seconded by Councilman Hotnich to approve the minutes of the March 8<sup>th</sup> meeting.

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

Resolution # 102: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman Sion that the bills be paid on abstract #4 for 2021 dated April 12, 2021 for listed vouchers # 154 – 234 for \$ 116,288.39:

General – Townwide	33,183.11	Special Refuse Fund	2,654.90
General – Part Town	393.20	Water District # 1	24,277.88
Highway	32,038.02	Water District # 3	11,704.24
Highway Electrical Upgrades	7,769.55	Water District # 4	3,182.45
Special Lighting # 1	1,085.04	Total	\$ 116,288.39

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

**Public Access**

1. Brenda Overhoff is in opposition of the solar project and presented petitions to the Supervisor that has been collected. Some concerns are the glare, unknown effect of water runoff and home depreciation.

2. Christopher Jeanniton wants to dig up the west side of Mill Street on his property from the corner to the property line and remove the sign. Supervisor Martin stated it will be looked into. Mr. Jeanniton asked about lights at the park on the flag poles and Councilman Hotnich will look into it. And he also asked about sidewalks as a lot of people walk and wind up walking in the road. Supervisor Martin stated the Town would have to apply for grants. The homeowners would have liability and have to keep them clear in the winter.

3. Supervisor Martin gave a synopsis of the solar project: John Tobia, Supervisor of North Collins will write a letter regarding their opposition to the solar farm; the Town Board either approves or denies the issuance of a special use permit. If the special use permit is approved, Omni would apply for a building permit and need a negative declaration that they could proceed. The Town issued a positive declaration. After this was referred to Erie County; their response was this is a bad spot to put the solar farm and they recommended the land stay farming.

There was a revisit to the site and Omni is doing studies on water, noise and glare. After the studies are done, it would go to the Planning Board and then the Town Board where if approved a public hearing would be set.

Comments were made from some residents in the audience regarding wildlife in the area.

Reports of Department Heads and Committees

Bicentennial committee – has ordered t-shirts, has the book ready to go to press and put pictures up in the Town Hall.

Dog Control's reported only one incident last month and he stated he cannot write tickets.

Highway and transfer station report was read.

Liberty Fest committee will meet April 21<sup>st</sup>. Tentative date for fireworks only is July 10<sup>th</sup>.

Town Clerk reported sales of \$4,255.05 with the Town's portion of \$4,120.26 and \$1,937,534.26 in taxes has been collected through the end of March.

Water report was read.

Town Board Reports

Councilman McLean attended the bicentennial, NEST, Prison Advisory Board meetings; looked at the Emergency Plan; toured the solar sites; met with MDA on the parks; interviewed for park positions updated face book and the web site and reviewed the vouchers.

Councilman Sion reviewed the vouchers and went on the site tours.

Councilman Hotnich attended the Prison Advisory Board, toured the solar sites and reviewed the vouchers,

Councilman Stelley worked on Facebook, met with MDA on the parks grant, interviewed for park positions, attended the Prison Advisory meeting, spoke with Jeff on updating the employee handbook, reviewed the vouchers and updated the website.

Supervisor Martin attended Prison Advisory Board and NEST meetings, met with MDA on the parks, went on solar site tours, spoke with town auditors for 2020,

New Business

1. Resolution needed to appoint 2021 seasonal beautification laborers

RESOLUTION # 103: **APPOINT 2021 SEASONAL BEAUTIFICATION LABORERS**

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 Town of Collins sponsors a Summer Beautification program to assist in maintaining the Town parks, cemeteries and other Town property, and

WHEREAS, the Town wishes to fill the positions necessary for this program, and

WHEREAS, the Town advertised for the positions of Seasonal Beautification Laborers and the Personnel Committee interviewed three (3) applicants responding to this ad.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board follow the recommendations of the Personnel Committee and hire the following applicants as employees for the 2021 Summer Beautification Program: Susan M. Harvey effective April 13, 2021, Scott J. Pfeifer effective May 10, 2021 and Jesse J. Heintz effective June 28, 2021 to be paid at a rate of \$14.50 per hour.

2. Resolution needed to approve Engineering Services Agreement for Town Park improvements project

RESOLUTION # 104: **APPROVE ENGINEERING SERVICES AGREEMENT FOR TOWN PARK IMPROVEMENTS 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 received \$160,000.00 in Erie County Community Development Block Grant funding for recreational facilities improvements at the Collins Town Park to add two new outdoor Pickleball Courts, Park Benches and an additional Playground Unit, and

WHEREAS, the Town Board solicited a proposal from MDA Consulting Engineers, PLLC for engineering services for this project.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby approves the Engineering Services Agreement with MDA Consulting Engineers, PLLC to provide design services, bidding services, general services during construction and construction observation services for the Collins Park Improvements Project at a total estimated cost of \$5,500.00 and that the Town Supervisor be authorized to sign the agreement.

3. Resolution needed to adopt Public Employer Health Emergency Plan for the Town of Collins  
RESOLUTION # 105: **ADOPT PUBLIC EMPLOYER HEALTH EMERGENCY PLAN FOR THE TOWN OF COLLINS**

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, on September 7, 2020 the Governor signed Senate Bill S8617B into law requiring public employers to develop health emergency plans for the protection of employees and contractors, and

WHEREAS, the Town of Collins fully supports the health and safety of our employees and contractors, and

WHEREAS, the plan supports continuity of operations of the Town of Collins, and

WHEREAS, the plan was developed collaboratively with several officials of the town of Collins, and

WHEREAS, the plan has been developed to meet the requirements set forth in the aforementioned law.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins approves the public employer health emergency plan of the town of Collins, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Collins authorizes the Supervisor to sign the plan, putting it into full force and effect in accordance with the law and the provisions identified in the plan.

4. Discussion on summer recreation program – Councilman McLean spoke with Samantha D’Amaro, Recreation Director and she does not feel we should have the program this year. The Board agrees of not having a summer recreation program.

5. Discussion on bus expense for senior and youth recreation program excursions – Scott Martindale asks for day trips only. Supervisor Martin suggests the Town pay for the bus and out of town people pay a stipend.

6. Discussion regarding system to notify town residents (CodeRED) – Councilman Stelley will look into this.

7. Discussion regarding Highway Superintendent appointment – Peter Waterman retired and Mark Hobson, Deputy has been filling in on the duties, but will need help for the rest of the year. It is not fair for Mr. Hobson who is a full-time worker to do the paperwork also. There is only one person in the election this November so the sooner we can get someone in the Superintendent's position the better. A special meeting will be set up April 19<sup>th</sup> at 7:00 PM.

RESOLUTION # 106: **SET SPECIAL TOWN BOARD MEETING ON APRIL 19, 2021 AT 7:00 PM REGARDING HIGHWAY SUPERINTENDENT**

Motion made by Supervisor Martin and seconded by Councilman Sion that the Town Board set a Special Town Board meeting on April 19, 2021 at 7:00 PM to discuss the Highway Superintendent Position.

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

8. Discussion on NYS Cannabis Law – the Board has until the end of the year to work on the NYS Cannabis Law.

9. Discussion regarding setting up a Historical Room at the LKP Community Center so items can be displayed in a larger room than what is in the Town Hall. Certain times will be advertised that it is open to the public.

With no further business, on a motion of Councilman Stelley seconded by Councilman Sion the meeting was adjourned at 9:08 PM.

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Becky Jo Summers, Town Clerk

A Special 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 19<sup>th</sup> day of April 2021.

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

Also Present: Christian Gerling, Joseph Gernatt

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

Resolution # 107: **AGENDA APPROVAL**

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

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

New Business

1. Resolution needed to approve pre-pay vouchers

RESOLUTION # 108: **APPROVE PRE-PAY VOUCHERS**

Motion made by Councilman Hotnich and seconded by Councilman Sion to approve pre-payment of the following vouchers:

Slack Chemical Company Inc	\$ 776.32
Microbac Laboratories Inc - Highway	\$ 38.50
Microbac Laboratories Inc – WD#3	\$ 80.25
MDA Engineering – Drainage Improvement Project	\$5,058.63
MDA Engineering – Solar Project SEQR Review	\$6,836.66

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

2. Discussion on Highway Superintendent appointment - Deputy Superintendent Mark Hobson has been filling the duties of the Superintendent since Peter Waterman retired. He does not want to continue doing these duties as he cannot get all his work done.

3. Resolution needed to enter into Executive Session

RESOLUTION # 109: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Martin and seconded by Councilman McLean to enter into an Executive Session to discuss an appointment to the vacant Highway Superintendent position at 7:10 PM.

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

3. Resolution needed to return to regular session

RESOLUTION # 110: **RETURN TO REGULAR SESSION**

Motion made by Councilman Sion and seconded by Councilman Hotnich to return to regular session at 8:27 PM.

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

4. Resolution needed to appoint Town Highway Superintendent

RESOLUTION # 111: **APPOINT TOWN HIGHWAY SUPERINTENDENT**

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, Peter Waterman retired from his position as Town of Collins Highway Superintendent effective March 20, 2021, and

WHEREAS, in order to maintain continuity in the Town Highway Department with a full complement of employees, the Collins Town Board desires to fill the Highway Superintendent position for the remainder of 2021.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby appoints Christian Gerling to fill the vacancy in the Collins Highway Superintendent position effective April 20, 2021 for the term to expire December 31, 2021 at which time a newly elected Highway Superintendent will take office.

With no further business, on a motion of Councilman Hotnich seconded by Councilman McLean the meeting was adjourned at 8:32 PM.

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Becky Jo Summers, Town Clerk