

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 15th day of April 2019.

Present: Kenneth Martin, Supervisor
Mary Stelley, Councilman
James Hotnich, Councilman
Sara Jane Sion, Councilman

Jacquelyn McLean, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Others Present: Candee Termer, Mike Brown, Tracy Brown, Dennis Jensen, Kevin Gordon, Rick Johnson, James Eddy and Chris Jeanniton

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

Resolution # 106: **AGENDA APPROVAL**

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

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

Resolution # 107: **MINUTES APPROVAL**

Motion made by Supervisor Martin seconded by Councilman McLean to approve the minutes of the April 1, 2019 town board meeting.

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

Resolution # 108: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman Sion that the bills be paid on abstract #8 for 2019 dated April 15, 2019 for listed vouchers #219 – 271 for \$ 123,768.67:

General – Townwide	17,769.79	Refuse	1,070.55
General – Part Town	908.69	Water District # 1	26,472.95
Highway	23,360.91	Water District # 3	13,019.14
Library	42,000.00	Water District # 4	.20
Street Lighting	-833.56	Total	\$ 123,768.67
ADOPTED	Aye 5	McLean, Hotnich, Stelley, Martin	
	Nay 0		

Public Access

Mike Brown stated the water department has been working on a leak on Mill Street for four weeks. After they patched one leak they had another leak, they had to wait for manpower and issues in Gowanda. It was stated that the line should be replaced. Our highway department would be able to replace it.

Dennis Jensen of the Collins Fire Department reported last fall there was a fire in Mortons Corners and they got water out of the Collins Center tank. When the pressure diminished they called Gowanda water to come and no one came.

After a hard rain water comes down through the Collins Park and goes in the back door of the fire hall. Water stays on top of the pipe. Jim Eddy stated the pipe above ground is 46" and below ground is 36".

Chris Jeanniton asks if the property on North Division is up for auction and letters should go out to owners of property that need cleaning up.

Candee Termer asks if the two places with basements that have not been filled in have been cited. Attorney Musacchio stated they should be cited.

The meeting was interrupted to hold a public hearing advertised and scheduled for 7:30 PM this evening.

PUBLIC HEARING – 7:30 PM ON Proposed Local Law No. 1 of 2019 - "Flood Damage Prevention Instructions"

RESOLUTION # 109: MOVE TO SCHEDULED PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2019 FOR THE TOWN OF COLLINS

Motion made by Councilman Sion, seconded by Councilman McLean to interrupt Board meeting to conduct a Public Hearing on Proposed Local Law No. 1 of the Year 2019 for the Town of Collins as advertised and scheduled for this evening at 7:30 pm.

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

Supervisor Martin declared the hearing open; Attorney Musacchio read the following notice:

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL
LAW NO. 1 OF 2019 FOR THE TOWN OF COLLINS

PLEASE TAKE NOTICE that pursuant to Section 20 of the Municipal Home Rule Law, a public hearing will be held before the Town Board of the Town of Collins, New York, at the Town Hall, 14093 Mill Street, Collins, New York, on Monday, April 15, 2019, at 7:30 p.m. to consider the following:

Town of Collins Proposed Local Law No. 1 - 2019: The New York State Department of Environmental Conservation has drafted a model local law for flood damage prevention instructions and is designed to comply with the floodplain management requirements of the National Flood Insurance Program contained in 44 CFR 60.3 (b, c & d).

If adopted by the Town Board, this Local Law after being filed with the Secretary of State shall become effective on May 1, 2019. Copies of the Proposed Local Law are available in the Collins Town Clerk's Office. All interested parties may attend and be heard.

Mr. Martin explained Chapter 166 of the Code was adopted in 2008. Slight modifications were sent to us for adoption of the flood maps.

Supervisor Martin asked if there were any more suggestions or comments. With none, the hearing was closed.

RESOLUTION # 110: MOVE TO CLOSE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2019 FOR THE TOWN OF COLLINS

Motion made by Supervisor Martin and seconded by Councilman Hotnich to close the Public Hearing on, Proposed Local law No. 1 of the Year 2019 for the Town of Collins at 7:33 pm.

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

Old Business

1. RESOLUTION # 111: APPROVE TOWN HIGHWAY DEPARTMENT'S ASSISTANCE WITH SEALING COLLINS AND COLLINS CENTER FIRE COMPANY PARKING LOTS

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

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

WHEREAS, the Collins Fire District has requested assistance from the Town Highway Department with the oil and stoning of the Collins and Collins Center Fire Company Parking Lots, and

WHEREAS, the Town of Collins is appreciative of the additional services which the fire companies perform for the town, namely responding to accidents, first aid calls, downed trees

and power lines after storms and the fire police's traffic control at town events.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board hereby approves use of Town Highway Department personnel and equipment to assist with the oil and stoning of the Collins and Collins Center Fire Company Parking Lots.

2. Disposal of millings from Armes Court paving project will be declared surplus then bids will be accepted.

New Business

1. Resolution to advertise for Summer Recreation attendants

RESOLUTION # 112: **APPROVE AD FOR SUMMER RECREATION SUPERVISOR & RECREATION ATTENDANTS**

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 provides Recreational Services to the Youth of the Town, and

WHEREAS, the Summer Recreation program requires a Recreation Supervisor and Recreation Attendants to oversee the activities of the participants.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Town Clerk to place the following ad for these positions in the Gowanda/Lakeshore Pennysaver & News and the Springville Pennysaver, to run for one printing each, the week of May 3, 2019 and shall require that all applications be delivered to the Collins Town Clerk no later than 4 p.m., Friday May 10, 2019.

SUMMER JOBS

The Town of Collins is accepting applications for
RECREATION SUPERVISOR & RECREATION ATTENDANTS
FOR ITS SUMMER PROGRAM

These positions are open to all area residents.

Preference given to Town of Collins residents,

High School Graduate or GED recipients.

Applications are available Monday - Friday at the

Collins Town Hall, 14093 Mill St, Collins

or on the Town Website (www.townofcollins.com).

Applications will be accepted until Friday May 10, 2019 at 4 p.m.

2. Set Special Event Vendors Permit Fee for 2019 Liberty Fest

RESOLUTION # 113: **SET SPECIAL EVENT VENDORS PERMIT FEE FOR 2019 LIBERTY FEST**

Motion made by Councilman Stelley and seconded by Councilman McLean to set the Special Event Vendor Permit Fee at \$ 20.00 per event.

ADOPTED Aye 4 McLean, Sion, Stelley, Martin
 Nay 0
 Abstained 1 Hotnich

3. New maintenance building project – approve engineering services contract received for highway building. The Board discussed the cost of the contract and tabled any action on this project.

4. Resolution to designate lead agency status for SEQR review of proposed Local Law No. 1 of 2019 – "Flood Damage Prevention"

RESOLUTION # 114: **DESIGNATION OF LEAD AGENCY STATUS FOR SEQR REVIEW OF PROPOSED LOCAL LAW NO. 1 OF 2019 - "FLOOD DAMAGE PREVENTION"**

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

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

WHEREAS, the Collins Town Board has proposed the adoption of Local Law No. 1 of 2019 - "Flood Damage Prevention", and

WHEREAS, a SEQR review of the proposed Local Law must be conducted prior to adoption.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board hereby declares that the Town of Collins act as Lead Agency for the purpose of SEQR review for the adoption of Local Law No. 1 of 2019 - "Flood Damage Prevention".

5. Resolution to designate a negative declaration for SEQR review of proposed Local Law No. 1 of 2019 – "Flood Damage Prevention"

RESOLUTION # 115: DESIGNATION OF A NEGATIVE DECLARATION FOR SEQR REVIEW OF PROPOSED LOCAL LAW NO. 1 OF 2019 - "FLOOD DAMAGE PREVENTION"

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 has Lead Agency status for the SEQR Review of the adoption of Local Law No. 1 of 2019 - "Flood Damage Prevention", and

WHEREAS, the Town of Collins has prepared a Full Environmental Assessment Form for the adoption of Local Law No. 1 of 2019 - "Flood Damage Prevention" under the SEQR Review process, and

WHEREAS, the environmental assessment shows that adoption of this Local Law will result in no significant adverse impact on the environment.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby issues a Negative Declaration, and therefore an Environmental Impact Statement need not be prepared for the adoption of Local Law No 1 of 2019 - "Flood Damage Prevention".

6. Resolution to adopt Local Law No. 1 of 2019 – "Flood Damage Prevention Instructions"

RESOLUTION # 116: ADOPTION OF LOCAL LAW NO. 1 OF THE YEAR 2019 FOR THE TOWN OF COLLINS – "FLOOD DAMAGE PREVENTION"

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

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

WHEREAS, the Federal Emergency Management Agency has recently completed a Flood Insurance Study and has updated the Flood Insurance Rate Maps establishing base flood elevations for the Town of Collins, and

WHEREAS, to maintain eligibility in the National Flood Insurance Program, the Town of Collins must adopt the new Flood Insurance Study and Flood Insurance Rate Maps into its floodplain management regulations to meet the standards of Section 60.3(d) of the program regulations by June 7, 2019, and

WHEREAS, the Town of Collins as Lead Agency for SEQR Review has prepared a Full Environmental Assessment Form and has issued a Negative Declaration for the adoption of Local

Law No. 1 of the Year 2019 for the Town of Collins, and

WHEREAS, the Town of Collins sent copies of the proposed Local Law and the Full Environmental Assessment Form to the Erie County Department of Environment and Planning (ECDEP) for their review and recommendations in accordance with NYS General Municipal Law, Section 239-m and on April 8, 2019 the ECDEP returned a comment of "No Recommendation", and

WHEREAS, copies of the proposed Local Law and Full Environment Assessment Form were sent to all municipalities which border the Town of Collins for their review and comments,

NOW THEREFORE BE IT RESOLVED, that upon due deliberation the Town of Collins hereby repeals Chapter 166 of the Town Code "Flood Damage Prevention" which was adopted 8/4/2008 by L.L. No. 1-2008 and replaces it with this newly adopted L.L. No. 1-2019 of the Town of Collins "Flood Damage Prevention" wording.

With no further business, on a motion of Councilman Hotnich seconded by Councilman Stelley the meeting was adjourned at 8:31 pm.

Becky Jo Summers, Town Clerk