

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 10th day of July 2023.

Present: Kenneth Martin, Supervisor
Jacquelyn McLean, Councilman
Jane Sion, Councilman
Mary Stelley, Councilman
James Hotnich, Councilman
Becky Jo Summers, Town Clerk
Chris Gerling, Highway Superintendent
James Musacchio, Attorney (7:20)

Also Present: David & Diane Gamel, Brenda Overhoff, Candee Termer, David, Christine and Christopher Agle, Karen Jentz and Chris and Charlie Jeanniton

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

RESOLUTION #130: AGENDA APPROVAL

Motion made by Supervisor Martin and seconded by Councilman Sion that the agenda be accepted as presented.

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

RESOLUTION #131: MINUTES APPROVAL

Motion made by Councilman Hotnich, seconded by Councilman McLean to approve the minutes of the June 8th meeting.

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

Public Access

1. We have not heard anything regarding solar or the windmill projects.

Reports of Department Heads and committees

Building and grounds last meeting report was gone through by Councilman Hotnich.

Dog Control monthly report for June was submitted

Highway department finished paving, doing patching, had a few trees taken down, working in the parks and planted flowers.

Liberty Fest committee submitted their report.

Recreation started today.

Town Clerk reported sales in June of \$ 4,792.40 with the Town's portion \$ 4,478.20. We have stopped collecting property taxes as of June 30th and they were turned over to the Erie County Tax Department.

Water department – quarterly bills have been mailed out along with a letter requesting residents contact us with the type of water line they have coming into the house. We are looking for those places that have lead pipes.

Board Reports

Councilman McLean is working on the property maintenance program, spoke with Dog Control re unlicensed dogs, spoke with code enforcement regarding mowing, attended the Building & Grounds meeting and the Liberty Fest, reviewed the vouchers and updated Facebook and the website.

Councilman Sion attended the Liberty Fest and reviewed the vouchers.

Councilman Hotnich attended the Building and Grounds meeting and the Liberty Fest and reviewed the vouchers.

Supervisor Martin attended the Building and Grounds meeting and Liberty Fest, attended the assoc. of Towns meeting regarding broadband to towns, school etc.

Attorney Musacchio arrived at 7:20 PM.

New Business

1. Resolution needed to declare Toshiba copier surplus and have Toshiba Business Solutions dispose of the copier

RESOLUTION # 132: DECLARE TOSHIBA COPIER TO BE SURPLUS AND TO HAVE TOSHIBA BUSINESS SOLUTIONS DISPOSE OF THE COPIER

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

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

WHEREAS, the Toshiba e-STUDIO 306 copier in the Town Clerks Office is not operational and is being replaced with a new copier due to the high cost of repair.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby declares the Toshiba e-STUDIO 306 copier, serial number #SC2CD27115 to be surplus and that it be disposed of through Toshiba Business Solutions upon delivery of the new copier.

2. Resolution needed to approve payment application No. 9 to Ehrhart Construction Management Services for the cold storage building project

RESOLUTION # 133: APPROVE PAYMENT APPLICATION NO. 9 TO EHRHART CONSTRUCTION MANAGEMENT SERVICES INC (CONTRACTOR) FOR THE COLD STORAGE BUILDING 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, the contractor for the Cold Storage Building Project, Ehrhart Construction Management Services Inc, has submitted progress payment application No. 9, 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. 9 in the amount of \$74,503.75, pending receipt of signed Payment Application and Certified Payrolls, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

3. Resolution needed to approve payment application No. 1 to BECC Electric for the cold storage building project

RESOLUTION # 134: APPROVE PAYMENT APPLICATION NO. 1 TO BECC ELECTRIC (CONTRACTOR) FOR THE COLD STORAGE BUILDING 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 Cold Storage Building Project, BECC Electric, 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 \$50,239.80, pending receipt of signed Payment Application and Certified Payrolls, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

4. Resolution needed to approve a fee increase for tire disposal tickets at the transfer station

RESOLUTION # 135: APPROVE FEE INCREASE FOR TRANSFER STATION TIRE DISPOSAL PERMITS

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

WHEREAS, the cost for the Town to dispose of scrap tires collected at the transfer station has increased from \$110 to \$175 per ton.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby increases the tire disposal permit fee for tires brought to the Town Transfer Station for disposal from \$2.00 to \$4.00 per tire effective July 11, 2023.

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

5. Resolution needed to accept the auditor's 2022 annual financial report

RESOLUTION # 136: ACCEPT AUDITORS 2022 REPORT

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

WHEREAS, the Town has retained Drescher & Malecki, LLP to complete the annual financial audits, and

WHEREAS, Drescher & Malecki, LLP submitted their Financial Audit Report for 2022 and presented their findings to the Collins Town Board on June 12, 2023.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board acknowledges that the financial records of the Town have been audited and that the Town Board accepts the audit report for the year ending December 31, 2022, prepared by Drescher & Malecki, LLP.

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

6. Resolution needed to accept the justice court's 2022 financial audit report

RESOLUTION # 137: ACCEPT TOWN JUSTICES 2022 AUDIT REPORT

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

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

WHEREAS, the N.Y.S. Unified Court System's "Action Plan" for the Justice Courts includes initiatives to improve accountability and controls over Justice Court finances and records, and

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited, and

WHEREAS, the Collins Town Board has retained the firm of Drescher & Malecki, LLP to audit the town's financial records, including those of the town justice.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board acknowledges that the records of Town Justices Brian Gernatt and Colleen Kinnaird have been audited and that the Town Board hereby accepts the audit report for the year 2022, as prepared by Drescher & Malecki, LLP.

7. Discussion regarding the Collins Historical Society's request to use the old VA room. The Lions club has two rooms in that room. The board will think about it.

8. Discussion regarding a local law for volunteer firefighters and ambulance workers real property tax exemption. Supervisor Martin handed out a proposed law for the board to read over and will look into this further.

Approval of budget modifications and transfers

RESOLUTION # 138: APPROVE 2023 BUDGET MODIFICATIONS & TRANSFERS

Motion made by Supervisor Martin, seconded by Councilman Sion that the following 2023 Budget Modification and Transfer is:

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

BUDGET TRANSFER:

A FUND:

Transfer From:	A1990.400 Contingent	\$925.00
Transfer To:	A1320.400 Contractual Expense - Auditor	\$925.00

Approval / Adoption of AbstractResolution # 139: **ABSTRACT APPROVAL**

Motion by Councilman Sion seconded by Councilman Hotnich that the bills be paid on abstract # 7 for 2023 dated July 10, 2023 for listed vouchers # 343 - 409 for \$ 348,159.52:

General – Townwide	17,771.69	Special Refuse Fund	1,870.78
General – Part Town	8,738.00	Water District # 1	3,896.93
Highway	185,112.14	Water District # 3	889.37
Highway Cold Storage	125,523.55	Water District # 4	<u>3,565.74</u>
Special Lighting	791.32	Total	\$ 348,159.52
ADOPTED	Aye 5	McLean, Sion, Stelley, Hotnich, Martin	
	Nay 0		

With no further business, on a motion of Councilman Hotnich seconded by Councilman Sion the meeting was adjourned at 7:45 PM.

Becky Jo Summers, Town Clerk