

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 9th day of January 2023.

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

Jacquelyn McLean, Councilman
Becky Jo Summers, Town Clerk
Chris Gerling Highway Superintendent
James Musacchio, Attorney

Also Present: David Gamel, Fred and Brenda Overhoff, Jason Gernatt, Candee Termer, Alan and Beth Butzer

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

RESOLUTION #70: AGENDA APPROVAL

Motion made by Supervisor Martin and seconded by Councilman Hotnich that the agenda be accepted as modified.

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

Resolution #71: MINUTES APPROVAL

Motion made by Councilman McLean, seconded by Councilman Hotnich to approve the minutes of the January 3rd organizational meeting.

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

RESOLUTION # 72: APPROVE 2022 BUDGET MODIFICATIONS AND TRANSFERS

Motion made by Councilman Hotnich and seconded by Councilman Sion that the following 2022 budget transfers are:

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

Transfers to Reserves:

Fund	Budgeted:	Transfer from:	Transfer to:
DB	\$200,000.00	DB 0962.400 To Fund Reserve	DB 202 Capital Reserve
SW3	\$ 10,000.00	SW3 0962.400 To Fund Reserve	SW3 231 Capital Reserve
SW4	\$ 2,000.00	SW4 0962.400 To Fund Reserve	SW4 231 Capital Reserve

Transferred From:	A1990.400 Contingent	600.00
Transferred To:	A1920.400 Building – Contractual	600.00

Transferred From:	A5132.400 Garage - Contractual	800.00
Transferred To:	A5132.420 Garage – Light	800.00

Transferred From:	A5132.400 Garage - Contractual	500.00
Transferred To:	A5132.430 Garage – Heat	500.00

Transferred From:	B7110.100 Parks – Personal	700.00
Transferred To:	B7110.110 Parks – Beautification	700.00

Transferred From:	B9010.800 Employee Benefits - Retirement	300.00
Transferred To:	B9040.800 Employee Benefits – Workers Comp	300.00

Transferred From:	SR9010.800 State Retirement	205.00
Transferred To:	SR9040.800 Workers Comp	205.00

Transferred From:	SW1 8320.400 Source & Supply – Contractual	1,000.00
Transferred To:	SW1 8330.400 Water Purification – Contractual	1,000.00
Transferred From:	SW3 8330.400 Water Purification Contractual	50.00
Transferred To:	SW3 8320.400 Source & Supply– Contractual	50.00
Transferred From:	DB5130.200 Machinery – Equipment	19,576.00
Transferred To:	DB5110.400 General Repairs – Contl (Diesel)	8,500.00
	DB5130.100 Machinery – Personal Service	46.00
	DB5130.400 Machinery – Contractual	8,000.00
	DB5148.100 Snow Removal – C Personal	3,000.00
	DB9045.800 Employee Benefits – Life Insurance	15.00
	DB9050.800 Employee Benefits – Unemployment	15.00

Reports of Department Heads and committees

Building and grounds report was gone through by Councilman Hotnich.

Code Enforcement handed out their 2022 annual report.

Dog Control submitted his monthly reports for December 2022.

Highway, Transfer Station and Parks report was read by the Chris Gerling, Highway Superintendent.

Liberty Fest will have a meeting January 18, 2023.

Town Clerk had sales in January of \$ 3,906.70 with the Town's portion \$ 3,729.44.

Water department report was handed out. The committee will review the billing procedures which was formed a few years ago.

Board Reports

Councilman McLean attended the NEST meeting, reviewed the vouchers and met with Mark Brown, Code Enforcement Officers and the Building and Grounds committee.

Councilman Sion reviewed the vouchers.

Councilman Hotnich reviewed the vouchers

Councilman Stelley reviewed the vouchers.

Supervisor Martin reported he met with Carol Scheibley and the Gowanda Water Department, the NYS Veterans office in Collins will close as of February 1st after being there for 37 years.

Public Hearing set for 7:30 pm – Restore NY Grant Application for 2297 Main Street, Collins, NY

Alan Butzer addressed the Board that he was trying to secure a grant to restore his building on Main Street. There were a few points on the application he could not get past and it is too expensive for him to put the building to the historical level needed; so he is not going to proceed. Mr. Butzer thanked the board and maybe down the road he will try again. Councilman Stelley said she would like to look at this paperwork as she has applied for grants in the past.

Since Mr. Butzer withdrew from the project a public hearing is not needed.

New Business

1. Resolution needed to renew the agreement with the Gowanda Ambulance Service

RESOLUTION # 73: **APPROVE GOWANDA AMBULANCE SERVICE AS TOWN'S DESIGNATED 911 SERVICE**

Motion by Councilman Hotnich, seconded by Councilman Sion that the Collins Town Board hereby agrees to renew the agreement with Gowanda Ambulance Service Corporation to be the Town's designated 911 service and that the Town Supervisor send a letter stating such to the Gowanda Ambulance Service Corporation.

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

2. Resolution needed to purchase a new 2022 Ferris Z-Turn riding mower

RESOLUTION # 74: **PURCHASE OF A NEW 2022 FERRIS Z-TURN RIDING LAWNMOWER**

Motion made by Councilman Hotnich, 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 decided to maintain a fleet of four (4) self-propelled riding mowers to maintain town properties and to replace the oldest mowers with new mowers on a rotating schedule, and

WHEREAS, the Town of Collins Five Year Capital Purchase Plan includes a 2023 purchase of a new lawnmower for the Parks Department.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves the purchase of a new 2022 Ferris 60-inch Deck, Z-Turn Mower with Suspension Seat, Part #5902064, Model #ISX3300BVE4060SS with a 40 Gross HP Vanguard Big BlockEFI ETC OGS Engine at a purchase price of \$14,524.17 from Alexander Equipment, 3266 Buffalo Street, Alexander, NY 14005 through the BuyBoard National Purchasing Cooperative Contract #611-20 or #680-22.

3. Resolution needed to approve excess sales tax allocation of the A Fund

RESOLUTION # 75: APPROVE EXCESS 2022 SALES TAX ALLOCATION TO A FUND

Motion made by Supervisor Martin, seconded by Councilman McLean to allocate the excess 2022 sales tax revenue of \$94,103.29, and modify the appropriate budget line as follows: A1120 - Sales Tax Distribution, increased by \$94,103.29.

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

4. Resolution needed to approve employee medical insurance premium contribution

RESOLUTION # 76: APPROVE EMPLOYEE MEDICAL INSURANCE PREMIUM CONTRIBUTION

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

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

WHEREAS, the Collins Town Board wishes to modify the amounts which the Town and the employee contribute toward the cost of medical insurance premiums.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves the policy whereby the Town of Collins will pay 75 percent and the employee will pay 25 percent of the medical insurance premium cost for eligible employees, effective January 1, 2023.

5. Resolution needed to approve modification to the town Employee Handbook

RESOLUTION # 77: APPROVE MODIFICATIONS TO THE TOWN EMPLOYEE HANDBOOK

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

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

WHEREAS, the Town of Collins desires to maintain its Employee Handbook as current as possible with timely updates.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves that the following changes be made to the Town of Collins Handbook:

Page 400-5: Adding the wording for Marijuana Products

Page 700-2: Modifications to Section on Credit for Paid Leave

Page: 800-12: Adding the wording for New Medical Insurance Buy-Out Policy

Page 900-6: Adding a new paragraph on NYS Employees Hot Line for Legal Counseling
Regarding Workplace Sexual Harassment

Page 900-11: Adding the wording for Marijuana Products

6. Resolution needed to pay transfer station employees' minimum hours for December 24, 2022

RESOLUTION# 78: PAY TRANSFER STATION EMPLOYEES MINIMUM HOURS FOR DECEMBER 24, 2022

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

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

WHEREAS, the Town of Collins had previously scheduled reduced Transfer Station hours for Saturday, December 24, 2022 from 8:30 am through 2:45 pm, and

WHEREAS, Erie County Executive Mark Poloncarz established a driving ban for all of Erie County due to the 2022 Blizzard, and

WHEREAS, the employees scheduled to work could not report due to the driving ban.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins has agreed that due to the unusual circumstances of the county wide driving ban the employees scheduled to work, Donald Johnson and Kenneth Tyger, be paid a minimum of three (3) hours for December 24, 2022.

7. Discussion of seniors' program fees – a few of the vendors wish to increase their rate per session and wanted to know how to do it. It is up to the vendors to increase them; a resolution by us is not needed.

8. Discussion of (1) Fire Protection District No. 1 three-year contract. Attorney Musacchio stated a public hearing would not be needed.

(2) Water maintenance agreements with the Village of Gowanda three-year contract. A 1% increase is planned for 2024 and the contract would be the same as this year's contract. Supervisor Martin stated we need more documentation on fire hydrants.

9. Resolution to approve payment application No. 5 to Ehrhart Construction Management Services Inc.

RESOLUTION # 79: **APPROVE PAYMENT APPLICATION No. 5 to EHRHART CONSTRUCTION MANAGEMENT SERVICES INC FOR THE COLD STORAGE BUILDING PROJECT**

Motion made by Councilman McLean seconded by Councilman Sion that the following resolutions 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. 5, and

WHEREAS, MDA Consulting Engineers, PLLC have verified the quantities included in the payment application.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board hereby approves payment application No. 5 in the amount of \$ 47,117.15, pending receipt of Certifies Payroll, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

Approval / Adoption of Abstract

Resolution # 80: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman McLean that the bills be paid on abstract #13 for 2022 dated January 9, 2023 for listed vouchers # 712 – 773 for \$ 121,099.44 and abstract # 1 for 2023 dated January 9, 2023 for listed vouchers # 1- 4 for \$ 1,629.78:

13 of 2022

General – Townwide	15,531.42	Special Refuse Fund	1,360.53
General – Part Town	769.20	Water District # 1	3,333.19
Highway	42,625.49	Water District # 3	950.99
Highway Solid Storage	48,891.85	Water District #4	<u>3,009.46</u>
Drainage Improvements Pro	4,149.50	Total	\$ 121,099.44
Special Lighting	477.81	-	

1 of 2023

General – Townwide	1,334.78
General – Part Town	<u>295.00</u>

Total	\$	1,629.78	
ADOPTED	Aye	5	McLean, Sion, Hotnich, Stelley, Martin
	Nay	0	

With no further business, on a motion of Councilman Sion seconded by Councilman Hotnich the meeting was adjourned at 8:28 PM.

Becky Jo Summers