

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 7th day of November 2016.

Present: David Tessmer, Supervisor Mary Stelley, Councilman
Kenneth Martin, Councilman Becky Jo Summers, Town Clerk
Mary Clark Councilman James Musacchio, Attorney

Absent: Janet Vogtli Councilman

Others Present: Brian Martin, Planning Board; Dick Agle and Andrew Kuczkowski, Observer reporter

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

Resolution # 214: **AGENDA APPROVAL**

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

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 215: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the November 7th town board meeting.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Resolution # 216: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract # 20 for 2016 dated November 21, 2016 for listed vouchers 773-805 for \$ 30,012.85:

General – Townwide	6,961.23	Special Lighting	23.81
General – Part Town	942.24	Special Refuse	937.01
Highway DA	18.74	Water District # 1	1,298.06
Highway DB	18,246.63	Water District #3	344.51
Meter Replacement WD 1	918.23	Water District #4	16.32
Meter Replacement WD 3	281.59	Total	\$ 30,012.85
Meter Replacement WD 4	24.48		

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

Old Business

1. Resolution supporting New York & Lake Erie grant application

RESOLUTION #217: SUPPORT NEW YORK & LAKE ERIE RAILROAD GRANT APPLICATION

Motion made by Supervisor Tessmer and seconded by Councilman Clark that the following resolution is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
Nay 0

WHEREAS, the Collins Town Board supports the New York and Lake Erie Railroad's (NY&LE) grant application through the Passenger & Freight Rail Assistance Program (PFRAP) for the rehabilitation of approximately five miles of track between Cherry Creek and Conewango Valley, which is part of the Buffalo to Jamestown Rail Corridor and the Western New York Rail Initiative (WNYRI), that we believe is an integral part of the on-going efforts to promote tourism activity and maintain the line for future economic development along the corridor, and

WHEREAS, the NY&LE currently operates in the Village of Gowanda and the Town of Persia, and

WHEREAS, the grant would allow the track to be upgraded to Class II and allow NY&LE to resume tourist passenger excursions from Gowanda to South Dayton, Cherry Creek and Conewango Valley, bringing tourist dollars to the communities and lay the groundwork for future passenger trains to operate between Buffalo and Jamestown, and

WHEREAS, the economic stimulus created by tourist trains operating along the corridor will ensure its long-term viability for use by potential future freight rail shippers.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board supports the NY&LE plan to resume tourist rail excursions between Gowanda and Conewango Valley as a vehicle to keep the larger Buffalo to Jamestown rail corridor viable for future passenger excursions and development projects along the route, and supports the NY&LE grant application through PFRAP, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senator Cathy Young, Senator Patrick Gallivan, Assemblyman Joseph Giglio, Cattaraugus County Legislature Chair Paula Stockman, Southern Tier West Regional Planning and Development Chairman Robert Keis, Chautauqua County Executive Vincent Horrigan, NYDDOT Commissioner Matthew Driscoll, NYDSOT Freight & Passenger Rail Bureau, and NYSDOT Assistant Commissioner Patrick Meredith.

2. Appoint Helen Zimmerman to Board of Assessment Review

RESOLUTION # 218: **APPOINT BOARD OF ASSESSMENT REVIEW MEMBER**

Motion made by Supervisor Tessmer seconded by Councilman Stelley to appoint Helen Zimmerman to the Board of Assessment Review for a five year term to expire September 30, 2021.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

New Business

1. Resolution to accept Supervisor's report for October 2016

RESOLUTION # 219: **ACCEPT OCTOBER 2016 SUPERVISORS REPORT**

Motion made by Supervisor Tessmer and seconded by Councilman Martin to accept the Town of Collins Supervisor's Report as submitted, for the month of October 2016.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

2. Resolution to authorize Supervisor to sign snow plowing contract with Erie County

RESOLUTION # 220: **AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH ERIE COUNTY FOR SNOW PLOWING:**

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

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the previous contract with Erie County to provide snow and ice removal on County roads in the Town of Collins expired on August 31, 2016, and

WHEREAS, the Town Highway Superintendents Association of Erie County, Inc. negotiated a new agreement for the period of September 1, 2016 through August 31, 2019, setting the reimbursement rates as follows:

2016-17 Snow Season \$3,818.99 per lane mile,
2017-18 Snow Season \$3,933.56 per lane mile,
2018-19 Snow Season \$4,051.57 per lane mile, and

WHEREAS, the agreement includes all activities necessary to control snow and ice, together with all necessary labor, equipment, and materials.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorizes the Supervisor to sign the agreement with Erie County, and submit two copies, with certified copies of this Resolution, two signed copies of the Lane Mile Confirmation, and an Insurance certificate naming Erie County as additional insured.

3. Resolution to advertise for temporary part-time Assessor Clerk

RESOLUTION # 221: ADVERTISE FOR TEMPORARY PART TIME CLERK

Motion made by Supervisor Tessmer and seconded by Councilman Clark that the following resolution is:

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

WHEREAS, the Collins Town Board approved a project in the Assessor's office to clear up records in 2017, and

WHEREAS, part of the project includes clerical duties to assist the Assessor.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board approve the placement of the following advertisement in the *Gowanda Pennysaver and News* the week of November 26, 2016, for the purpose of identifying candidates for the temporary Part Time Clerk position:

TOWN OF COLLINS

is accepting applications for TEMPORARY PART-TIME CLERK

Must be available flexible hours for clerical duties in the Assessor's office

Applications can be picked up at the Town Clerk's Office

and must be returned by 4:00 PM on December 9, 2016

Preference given to Collins residents

4. Resolution to approve 2016 Budget Transfer

RESOLUTION # 222: APPROVE 2016 BUDGET TRANSFERS AND MODIFICATIONS

Motion made by Supervisor Tessmer seconded by Councilman Martin to approve the following 2016 Budget Transfer and Modification:

A Fund:

Transfer From:

A8810.400 Cemeteries Contractual \$119.55

Transfer To:

A8810.100 Cemeteries Personnel \$119.55

DA Fund:

Debit:

DA599 Appropriated Fund Balance \$450.46
 \$450.46

Credit:

DA5120.400 Maintenance of Bridges – Cont

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer
 Nay 0

Workshop Topics

Solar Energy Law – Moratorium enacted September 9th by the Town. Supervisor Tessmer went through a sample law with the Board. Brian Martin, Planning Board Chairman has attended classes on this. Attorney Musacchio will check with other Town's on their law.

DOCCS Water Line Memorandum of Understanding – The State wants to give us the 12" water line so we could be each other's back-up. The MOU from the State is flawed. Supervisor Tessmer will go through this draft and send it back to the State.

With no further business, on a motion of Councilman Stelley seconded by Councilman Martin the meeting was adjourned at 8:35 pm.

Becky Jo Summers, Town Clerk