

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 April 2023.

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

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

Absent: Councilman Jacquelyn McLean

Also Present: Jeffrey Souder from Assemblyman David DiPietro's office, Candee Termer, David & Diane Gamel, Brenda Overhoff, Lynn Platt & Michael Krencik and Howie Lamb

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

RESOLUTION #101: AGENDA APPROVAL

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

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

RESOLUTION #102: MINUTES APPROVAL

Motion made by Supervisor Martin, seconded by Councilman Sion to approve the minutes of the March 13th meeting.

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

Public Access

We have not heard anything regarding solar or windmills.

Reports of Department Heads and committees

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

Dog Control submitted his monthly report for March.

Highway, Transfer Station and Parks reports were gone through by Chris Gerling, Highway Superintendent.

Recreation report was sent to the Town Board.

Town Clerk had sales in March of \$ 6,072.55 with the Town's portion \$ 4,893.12.

Water department report was handed out.

Board Reports

Councilman Sion reviewed the vouchers.

Councilman Hotnich reviewed the vouchers, attended the building and grounds meeting and met at the transfer station with the contractors.

New Business

1. Resolution needed to approve payment applications No. 6 to Ehrhart Construction Management Services Inc (contractor) for the Cold Storage Building Project

RESOLUTION 103: APPROVE PAYMENT APPLICATIONS NO. 7 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 4 Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, the contractor for the Cold Storage Building Project, Ehrhart Construction Management Services Inc, has submitted progress payment application No. 7, 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. 7 in the amount of \$99,750.00, pending receipt of Certified Payroll and Subcontractor Lien Releases, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

RESOLUTION #104: APPROVE CHANGE ORDER No. 2 FOR THE HIGHWAY COLD STORAGE BUILDING PROJECT

Motion made by Supervisor Martin, seconded by Councilman Hotnich that the Collins Town Board hereby approves Change Order No. 2 for the Highway Cold Storage Building Project, which alters the Contract with Ehrhart Construction Management Services, Inc by extending the substantial completion date from September 26, 2022 to May 15, 2023 and by extending the Ready for Final Payment date from October 26, 2022 to June 15, 2023, with no change in Contract amounts.

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

RESOLUTION # 105: APPROVE AD FOR SUMMER 2023 RECREATION SUPERVISOR PT AND RECREATION ATTENDANTS

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

ADOPTED Aye 4 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 PT 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 and News and the Springville Pennysaver for the weeks of April 22, 2023 and April 29, 2023 issues as follows:

SUMMER POSITIONS

Town of Collins is accepting applications for
RECREATION SUPERVISOR PT & RECREATION ATTENDANTS
Positions are open to all area residents 16 years of age and over.
Preference given to Collins residents.
Applications available Monday - Friday at Collins Town Hall,
14093 Mill St, Town Website (www.townofcollins.com) or
Town of Collins Youth Recreation Facebook page.
Applications accepted until Wednesday, May 3, 2023 at 4 pm
at the Town Clerks Office by
mail (PO Box 420, Collins, NY 14034) or in person only.

RESOLUTION # 106: APPROVE REMOVAL OF TREE AT WATER DISTRICT #1 PUMP HOUSE

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

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, a deteriorating Sycamore tree, located adjacent to the Collins Water District #1 Pump House, poses a threat to the Pump House and fencing should it fall.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby authorizes Natures Pride to cut and remove the tree, grind the stump, clean up the grindings, add topsoil and seed per their quote of \$3,000.00 dated 3/20/23.

RESOLUTION # 107: APPROVE PURCHASE OF RADIO COMMUNICATION EQUIPMENT FOR THE TOWN HIGHWAY DEPARTMENT

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

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, the Collins Highway Department wishes to update its Radio Communication System, as the present system does not provide clear communication to all areas of the town, and

WHEREAS, the Collins Highway Department sent out Request for Proposals (RFPs) to SAIA Communications, Inc, to Telecom Communications, Inc and to Finger Lakes Communications Company, Inc, receiving only one proposal, that of SAIA Communications, Inc.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby accepts the proposal of SAIA Communications, Inc, 100 Stradtman Street, Buffalo, NY 14206, to provide eleven (11) mobile, two (2) portable and one (1) base station two-way radios, with installation, one year's cost of SAIANET CONNECTPLUS SYSTEM fees and trade-in values of old radios for a total cost of \$15,593.33, and that the Funds to purchase the equipment be taken from the 2023 Town Budget Line DB 5130.200 Machinery – Equipment.

RESOLUTION # 108: APPROVE ADJUSTMENT TO CUSTOMER WATER BILL

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

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, Water District #3 Account #51410000 customer Robert Aderman's 2023 First Quarter water bill is \$644.14, which is several times higher than his average bill of approximately of \$160.00, and

WHEREAS, the Water Department personnel determined that he had a water leak, which was found to be in the barn, which was not presently housing any animals, and

WHEREAS, the Town's past practice is to forgive one-half of the difference between the average water bill and the water bill after a significant water leak.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board approves that Robert Aderman's 2023 First Quarter water bill be adjusted to be \$402.07, determined as follows:

Current bill of \$644.14 minus average bill of \$160.00 = \$484.14 water leak

One-half of \$484.14 = \$242.07 customer share

Customer average of \$160.00 plus \$242.07 = \$402.07 adjusted bill

RESOLUTION # 109: GRANT UDSA PROPERTY ACCESS REQUEST

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

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, the United States Department of Agriculture (USDA) has requested permission from the Town of Collins to place traps on Town owned properties for the purpose of monitoring the spread of the European Cherry Fruit Fly (ECFF) and the Box Tree Moth (BTM) across NYS.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board hereby grants permission to the USDA to place traps on Town Properties for the purpose of monitoring the spread of the ECFF and the BTM.

RESOLUTION # 110: AWARD BID FOR TRANSFER STATION CONCRETE WORK

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

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, the Town of Collins has resolved to undertake a capital improvement project to replace the retaining wall and concrete pads at the Town Transfer Station, and

WHEREAS, the town of Collins has publicly advertised the above referenced project to solicit bids to complete the scope of work defined within the Contract Documents, and

WHEREAS, bids were received, opened and read aloud at a bid opening at 2:00 PM on Wednesday, April 5, 2023, and

WHEREAS, Hunting Valley Construction, Inc. of 825 Rein Road, Cheektowaga, NY 14225 was the successful low bidder in the amount of \$ 211,800.00 for the base amount.

NOW THEREFORE BE IT RESOLVED THAT, the Town Board authorized the award of the contract to Hunting Valley Construction, Inc. in the amount of \$ 211,800.00 for the base bid and \$ 70.00 for alternate A-3 (per ton of trash removed) making a total contract price of \$ 211.870.00, and

BE IT FURTHER RESOLVED that The Town Board authorized the Town Supervisor to sign the Notice of Award for this contract, and

BE IT FURTHER RESOLVED that the Town Board authorized the Town Supervisor to sign the Agreement and Notice to Proceed for this contract, contingent upon receiving acceptable bonds and insurances from the Contractor (Hunting Valley Construction, Inc.),

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

RESOLUTION # 111: APPROVE 2023 BUDGET MODIFICATIONS & TRANSFERS

Motion made by Councilman Hotnich, seconded by Councilman Sion to approve the following 2023 Budget Modifications & Transfers:

BUDGET TRANSFERS:

SW1 FUND:

Transfer From: SW1 8340.400 Transport and Distribution – Contractual	\$ 1,700.00
Transfer To: SW1 8341.410 Transport and Distribution – Meters	\$ 1,700.00

A FUND:

Transfer From: A 1990.400 Contingent	\$ 2,200.00
Transfer To: A 1910.400 Unallocated Insurance	\$ 2,200.00

BUDGET MODIFICATIONS:

*Increase: A 9950.800 Interfund Transfers – Capital Projects	\$22,798.40
*Increase: A 4089.000 Federal Aid – ARPA	\$22,798.40
*Increase: H18 1440.290 Highway Cold Storage – Engineering	\$ 1,898.40
*Increase: H18 1620.290 Highway Cold Storage – Construction	\$20,900.00
*Increase: H18 5031.000 Interfund Revenues	\$22,798.00

*The Funds to cover this increase will come from Federal Aid Received under the American Rescue Plan Act (ARPA Funds)

ADOPTED Aye 4 Sion, Hotnich, Stelley, Martin
 Nay 0

Approval / Adoption of Abstract

Resolution # 112: ABSTRACT APPROVAL

Motion by Councilman Hotnich seconded by Councilman Sion that the bills be paid on abstract # 4 for 2023 dated April 10, 2023 for listed vouchers # 137 - 198 for \$ 172,502.68:

General – Townwide	25,802.77	Special Refuse Fund	7,853.15
General – Part Town	1,044.06	Water District # 1	5,944.51
Highway	21,593.09	Water District # 3	4,328.73
Highway Cold Storage	102,029.56	Water District #4	3,015.12
Special Lighting	891.69	Total	\$ 172,502.68

ADOPTED Aye 4 Sion, Stelley, Hotnich, Martin
 Nay 0

New Topics

Discussion and Comments

1. Property maintenance clean-up was discussed.

With no further business, on a motion of Councilman Hotnich seconded by Supervisor Martin the meeting was adjourned at 7:44 PM.

Becky Jo Summers