

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 5th day of June, 2017.

Present: David Tessmer, Supervisor Peter Waterman, Highway Superintendent
 Mary Stelley, Councilman Becky Jo Summers, Town Clerk
 Mary Clark, Councilman Susan Gamel, Bookkeeper
 Kenneth Martin, Councilman James Musacchio, Attorney

Absent: Janet Vogtli, Councilman

Others Present: Laura Landers, Freed Maxick CPA's; Erie County Legislature Chairman John Mills; Margaret Degenfelder; Dick Agle; Jason Opferbeck (8:11pm); Andrew Kuczkowski, reporter The Observer and Hunter Samuelson, reporter Gowanda Press

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

Resolution # 128: **AGENDA APPROVAL**

Motion made by Councilman Clark seconded by Councilman Stelley to approve the agenda after deleting the resolution accepting the supervisor reports and adding a resolution appointing a Library Trustee.

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

Resolution # 129: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the May 19, 2017 Town Board meeting.

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

Resolution # 130: **ABSTRACT APPROVAL**

Motion by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #11 for 2017 dated June 5, 2017 for listed vouchers # 358 - 406 for \$ 32,794.38:

General – Townwide	19,837.94	Water District #1	238.24
General – Part Town	8,358.62	Water District #3	240.27
Highway	3,089.56	Water District #4	0.85
Special Lighting	883.93	Total	\$ 32,794.38
Special Refuse	144.97		
ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer			
Nay 0			

Presentation: Laura Landers, Freed Maxick CPA's – 2016 Audit -- Ms. Landers went through the audited Basic Financial statements explaining the high points. The Town is in a strong financial position with healthy fund balances.

Presentation: Erie County Legislature Chairman John Mills – Mr. Mills brought the Town up-to-date on the search for a new president for Erie Community College. EC Legislative District 11 (Mr. Mills') has more roads than all the rest except District 9 and many are in bad shape. Zoar Valley Road was patched and it is still horrible. The County is behind in mowing roadsides.

Reports of Department Heads

Attorney Musacchio is working on the Collins Center Cemetery property purchase.

Code Enforcement Officers handed out their monthly report.

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Highway Superintendent Waterman reported they hauled stone for chipping, doing roadside mowing, helped the Village of North Collins and had a lot of repairs.

The Transfer Station report on trash day used four open tops, one compactor and one open top of wood and mulch. The new truck should be here Thursday.

Parks – to catch up on mowing, three mowers have been used, installed a drain tile and worked on the baseball field.

Recreation – the calendar was gone through.

Town Clerk Summers reported May sales of \$5,371.60 with the town's portion \$4,855.22.

Reports of Board and Committees

Councilman Martin reviewed the vouchers, and attended the Memorial Day ceremony.

Councilman Stelley reviewed the vouchers, updated the website, attended the Liberty Fest meeting and reviewed the handbook.

Councilman Clark attended the Liberty Fest meeting.

Supervisor Tessmer attended the County-wide Shared Services Imitative meeting, the Southtowns Community Enhancement meeting and a meeting in Albany on the Route 62 water line project.

Mr. Tessmer attended a phot op with the Lion's Club at the park for their donation of a tree. Both parks have been vandalized.

Old Business

1. Update on County Wide Shared Services Initiative – All towns are to come up with ideas that will save money and submit to the County. Public hearings will be held and eventually a panel will vote on the plan.

2. Update on DOCCS Albany meeting – Supervisor Tessmer and Jason Opferbeck met with State officials. Mr. Tessmer put together a time line of the project starting in 2010. The State's view is the project is completed and if we want it connected we would have to pay for it. We can feed them through Taylor Hollow but they cannot feed us.

Water Report – Hydrants will be flushed next week; Collins on Monday through Wednesday and Collins Center on Thursday and Friday. They are working on district issues, UFPO's and did some work in the parks.

New Business

1. Resolution to approve February and March 2017 Supervisors Reports was removed

2. Resolution to approve 2017 Budget Modification

RESOLUTION # 131: APPROVE 2017 BUDGET MODIFICATIONS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to approve the following 2017 Budget modifications:

A Fund:

Transfer From:

A1355.400 Assessor Contractual \$50.00

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 0

Transfer To:

A1355.110 Board of Review \$50.00

3. Resolution to declare Roadside mower surplus

RESOLUTION # 132: DECLARE ST90 ROADSIDE MOWER AS SURPLUS

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Highway Department Ford ST90 roadside mower that was recently replaced, be declared surplus and sold

to the Town of Persia for \$20,000.00, upon delivery of the replacement.

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

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4. Appoint Library Trustee

RESOLUTION # 133: **APPOINT LIBRARY TRUSTEE**

Motion made by Supervisor Tessmer seconded by Councilman Stelley to appoint Cynthia Dishman as Library Trustee, to a five-year term to expire December 31, 2021.

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

Executive Session – to discuss proposed, pending or current litigation

RESOLUTION # 134: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by __Councilman Clark that the Board moves into an executive session at 8:36 PM to discuss proposed, pending or current litigation.

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

RESOLUTION # 135: **RETURN TO REGULAR SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Martin that the Board returns to regular session at 9:05 PM.

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

Resolution to commence lawsuit

RESOLUTION # 136: **AUTHORIZE SUPERVISOR TO SIGN SUMMONS & COMPLAINT**

Motion made by Councilman Clark seconded by Councilman Martin the following is:

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

WHEREAS, The Town of Collins Code Enforcement office charged a local resident with violating provisions of the Town Code of the Town of Collins, and

WHEREAS, the Erie County District Attorney's Office authorized Richard Schaus to represent the People of the State of New York in this action, and

WHEREAS, the Collins Town Board approved a contract with Richard Schaus in February 2016, and

WHEREAS, this case is now ready to be heard in New York State Supreme Court: Erie County.

NOW, THEREFORE BE IT RESOLVED, that Supervisor Tessmer is hereby authorized to commence a lawsuit against defendant Daniel Smith under Town Law Section 268 seeking the removal of the illegal and unauthorized accessory structure at 2232 Collins Road, Collins, New York 14034, as described in the proposed Summons & Complaint reviewed by the Town Board.

With no further business, on a motion of Councilman Clark seconded by Councilman Martin the meeting was adjourned at 9:06 pm.

Becky Jo Summers, Town Clerk