

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 13<sup>th</sup> day of December 2021.

Present: Kenneth Martin, Supervisor  
Jane Sion, Councilman  
Jacquelyn McLean, Councilman  
James Hotnich, Councilman

Becky Jo Summers, Town Clerk  
Christian Gerling, Highway Superintendent  
James Musacchio, Attorney (7:36pm)

Absent: Mary Stelley, Councilman

Also Present: Sarah Lowman, Brenda Overhoff, David and Diane Gamel, Dan and Chris Rychlik, Candee Termer and Jeff Soudon from Assemblyman David DiPietro's office

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

Resolution # 202: **AGENDA APPROVAL**

Motion made by Councilman Hotnich, seconded by Councilman Sion to approve the agenda as presented.

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

Resolution # 203: **MINUTES APPROVAL**

Motion made by Supervisor Martin, seconded by Councilman McLean to approve the minutes of the November 1<sup>st</sup> and 8<sup>th</sup> meetings.

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

Resolution # 204: **APPROVE BUDGET MODIFICATIONS AND TRANSFERS**

Motion made by Supervisor Martin and seconded by Councilman Hotnich that the following budget transfers for budget year 2021 are:

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

FROM	TO
A1990.000 Contingent 5,320.00	A1320.410 Acctg. Contractual 4,000.00
	A5010.400 Hwy. Contract. 300.00
	A7550.420 Bicentennial 2021 1,000.00
	A9055.800 Emp Bene. Disab. 20.00
B9030.800 Emp. Bene Soc Sec 73.00	B9010.800 Emp. Bene. St. Retire 73.00
DB9080.800 State Retirement 3,400.00	DB5110.11 Gen'l Reprs P/T Person. 3,000.00
	DB5130.100 Mechanic Personal 400.00
DB5130.200 Equipment 3,000.00	DB5130.400 Contractual 3,000.00
SR8160.400 Contractual 1,750.00	SR9010.800 Emp. Bene. St. Retire 1,750.00
SW18340.400 Contractual 1,150.00	SW18340.410 Meters 1,150.00
SW#8340.413 Meters 50.00	SW38340.403 Contractual 50.00

Transfer station will be closed Saturday, December 25<sup>th</sup> and trash day will be Saturday, January 1, 2022.

#### Public Access

David Gamel reported Omni (solar) is still drilling over the weekend and put well casings in the ground. Pictures were shown and drilling appeared to be less than 100 feet from the line. Supervisor Martin will go and look.

#### Reports of Department Heads and Committees

Building and grounds committee submitted their minutes.

Code Enforcement Officers submitted their report.

Dog Control – tickets were written for unlicensed dogs.

Highway report was read by Superintendent Gerling. The Parks flags were taken down and need to be replaced.

Town Clerk reported sales of \$ 4,627.91 with the Town's portion \$ 3,946.35.

Water department submitted their report.

#### Town Board Reports

Councilman McLean attended the opening of the Town's Historical Room, the building meeting, NEST meeting, reviewed the vouchers and updated the website and face book. As of January 1, 2022 all styrofoam containers will be banned.

Councilman Sion attended the building meeting and reviewed the vouchers.

Councilman Hotnich reviewed the vouchers.

Supervisor Martin has been in contact with the contractor regarding the water build-up at the pickle ball court, attended the building meeting, sent a letter of support of the ErieNet Open Access Fiber Optic Network Program, described shared services agreement, the streetlight conversion is complete and the town will receive AIM related payments.

#### **Public Hearing – 7:30 PM – Dog Kennel Special-Use Permits**

#### **RESOLUTION # 205: OPEN PUBLIC HEARING ON THE 2022 DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Hotnich, seconded by Councilman Sion to open the public hearing on the 2022 Dog Kennel Special-Use Permits at 7:30 PM.

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing under Section 30.65 Kennels of the Town of Collins Municipal Code on the year 2022 Dog Kennel Special Use Permit applications for the following:

Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141

Karen Fedick, 13688 Brewer Road, Collins, NY 14034

Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034

Melody Esposito, 4038 East Becker Road, Collins, NY 14034

Debbie Degenfelder, 2858 Lennox Road, Collins, NY 14034

A Public Hearing will be held on **Monday, December 13, 2021 at 7:30 p.m.** at the Town Hall, 14093 Mill Street, Collins, New York. The Town Board may, under Section 30.65 Kennel of the Town of Collins Municipal Code, impose conditions and restrictions upon said Dog Kennel Special Use Permit.

Dated: November 9, 2021

Becky Jo Summers, Town Clerk

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

Supervisor Martin read the notice of public hearing. Assistant Code Enforcement Officer Charles Siegle inspected the properties and stated all are ok. The Degenfelder permit was withdrawn as they have three dogs. Supervisor Martin asked for any comments, either for or against. None were heard so the hearing was closed.

RESOLUTION # 206: **CLOSE PUBLIC HEARING ON THE 2022 DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Supervisor Martin, seconded by Councilman Hotnich to close the public hearing on the 2022 Dog Kennel Special-Use Permits at 7:35 PM.

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

RESOLUTION # 207: **APPROVE 2022 DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Hotnich and seconded by Councilman McLean to approve the 2022 Dog Kennel Special-Use permits for the following applicants:

Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141

Karen Fedick, 13688 Brewer Road, Collins, NY 14034

Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034

Melody Esposito, 4038 East Becker Road, Collins, NY 14034

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

Attorney Musacchio arrived at 7:36 pm and reported he looked over the highway agreement. Councilman Hotnich asked if the solar project could drill about 15 feet from the road. They may to see if the ground is moving.

Old Business

1. Resolution needed to approve Contractor for Town Hall chimney repair

RESOLUTION # 208: **APPROVE CONTRACTOR FOR TOWN HALL CHIMNEY REPAIR**

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

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

WHEREAS, the chimney of the Collins Town Hall is badly deteriorated with brick surfaces spalling off and the stucco pulling away from the brick, and

WHEREAS, the Town solicited bids for repair of the chimney from the following contractors: AM Masonry LLC; Stone Mountain Masonry; Rock Works Masonry; Wierzbina Masonry; Southtowns Concrete and ICC Commonwealth and received only one bid.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby accepts the bid from AM Masonry LLC, 14904 Konert Road, Collins, NY 14034 to repair the Town Hall chimney at a cost of \$18,500.00 with the work to be completed in 2022 and that the Town Supervisor be authorized to sign the repair agreement.

NEW BUSINESS

1. Resolution needed to set the date for the 2022 Organizational meeting

RESOLUTION # 209: **SET DATE FOR 2022 ORGANIZATIONAL MEETING**

Motion made by Councilman Hotnich, seconded by Councilman McLean that the Collins Town Board hereby sets the date of the 2022 Organizational Meeting to be January 3, 2022 at 7:00 PM.

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

2. Resolution needed to approve Change Order No. 1, Certificate of Substantial Completion, payment application No. 1 and payment application No. 2 (final payment) to Sahlem's Roofing & Siding, Inc. for the library roof renovation project.

RESOLUTION # 210: **APPROVE CHANGE ORDER NO. 1, CERTIFICATE OF SUBSTANTIAL COMPLETION, PAYMENT APPLICATION NO. 1 AND PAYMENT APPLICATION NO. 2 (FINAL PAYMENT) TO SAHLEM'S ROOFING & SIDING, INC. FOR THE LIBRARY ROOF RENOVATION PROJECT**

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

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

WHEREAS, Sahlem's Roofing & Siding, Inc. (Contractor) completed the Library Roof Renovation on November 18, 2021 and now wishes to close out the project, and

WHEREAS, MDA Consulting Engineers, PLLC have examined the work and verified project completeness.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby approves Change Order No. 1 which reduces the project by \$272.60, approves the Certificate of Substantial Completion dated November 18, 2021, approves Payment Application No. 1 in the amount of \$107,912.16 and approves Payment Application No. 2 (Final Payment) in the amount of \$11,990.24 to Sahlem's Roofing & Siding, Inc. for the Library Roof Replacement Project and that the Collins Supervisor be authorized to sign all four of these documents.

3. Resolution needed to approve Erie County, NY Inter-Municipal Highway Shares Services Agreement of August 2021

RESOLUTION # 211: **APPROVE ERIE COUNTY, NEW YORK INTER-MUNICIPAL HIGHWAY SHARED SERVICES AGREEMENT OF AUGUST 2021**

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

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

WHEREAS, the Town of Collins has benefited over the years from the sharing of Highway Equipment and Services with neighboring communities, both in emergency and non-emergency situations, and

WHEREAS, Collins Highway Superintendent, Chris Gerling, recommends that the Town of Collins continue to share Highway Department Equipment and Services with neighboring communities for economies of scale.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby approves the Erie County, New York Inter-Municipal Highway Shared Services Agreement dated August 2021 and authorizes the Town Supervisor to sign the Agreement.

4. Resolution needed to approve NY Municipal Insurance Reciprocal (NYMIR) as the Town's Insurance Carrier for 2022

RESOLUTION # 212: **APPROVE NEW YORK MUNICIPAL INSURANCE RECIPROCAL (NYMIR) AS THE TOWN'S INSURANCE CARRIER FOR 2022**

Motion made by Supervisor Martin, seconded by Councilman Sion that the following resolution be adopted.

DEFEATED	Aye	1	Martin
	Nay	3	McLean, Sion, Hotnich

WHEREAS, the Town of Collins requested its Insurance Agent the Evans Agency LLC to request bids for the Town's Insurance Coverage for 2022, and

WHEREAS, the following two quotes were received:

Selective Insurance Company of America	\$48,052.46
NYMIR	\$51,039.79

and

WHEREAS, the Town of Collins has \$12,912.00 of Capitalization Money with NYMIR from the time period when NYMIR was the Town's Insurance Carrier, which will be returned to the Town \$6,456.00 in 2022 and \$6,456.00 in 2023.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board hereby accepts the quote of NYMIR in the amount of \$51,039.79 to provide the Town's Insurance for 2022.

**REGULAR MEETING**

**TOWN OF COLLINS**

**DECEMBER 13, 2021<sup>5</sup>**

The motion failed so the Town will stay with Selective for their insurance coverage.

Resolution # 213: **ABSTRACT APPROVAL**

Motion by Supervisor Martin, seconded by Councilman Hotnich that the bills be paid on abstract 12 for 2021 dated December 13, 2021 for listed vouchers # 698 – 778 for \$ 298,306.99:

General – Townwide	52,078.83	Water District # 4	448.84
General – Part Town	5,935.14	Solar Project	1,223.40
Highway Fund	73,950.24	Library Roof Replac	1,884.85
Special Lighting # 1	1,187.13	Cold Stor Bldg	5,599.30
Special Refuse Fund	5,537.27	Drainage Improve	6,573.42
Water District # 1	18,422.24	Library Roof Renov	<u>119,902.40</u>
Water District # 3	5,563.93	Total	\$ 298,306.99

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

New Topics

1. 2022 Holiday Schedule – we had 12 holidays; Juneteenth was added this year. For 2022 we will not observe Juneteenth (June 19<sup>th</sup>).

2. Town Telephone System Replacement – Verizon will be ditching all wired lines and will have to go through an internet system. Supervisor Martin asked for volunteers to work on this. Councilman McLean will check with Councilman Stelley on the status of this.

3. Capital Projects Update – was gone through by Supervisor Martin.

Next meeting: Monday, January 3, 2022 – 7:00 PM – Organizational Meeting  
Monday, January 10, 2022 – 7:00 PM – Monthly Meeting.

With no further business, on a motion of Councilman Hotnich seconded by Councilman Sion the meeting was adjourned at 8:38 PM in honor of Wayne Harvey, past Town Water Commissioner who recently passed away.

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Becky Jo Summers, Town Clerk