

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 12th day of September 2022.

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

Becky Jo Summers, Town Clerk
Chris Gerling, Highway Superintendent
Attorney Musacchio
Nicole Ruf, Drescher & Malecki
Megan Wnek, Drescher & Malecki

Also Present: David Gamel, Dan and Chris Rychlik, Brenda Overhoff, Candee Termer, Scott Martindale and Sarah Lowman

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

Resolution # 150: **AGENDA APPROVAL**

Motion made by Supervisor Martin seconded by Councilman Sion to approve the agenda as presented.

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

Resolution # 151: **MINUTES APPROVAL**

Motion made by Councilman McLean seconded by Councilman Hotnich to approve the minutes of the August 8, 2022 meeting.

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

RESOLUTION # 152: **APPROVE BUDGET TRANSFER**

Motion made by Supervisor Martin and seconded by Councilman Hotnich to approve the following Budget Transfer for Budget Year 2022:

DB FUND

Transferred From:	DB5110.400 General Repairs - Contractual	3,000.00
Transferred To:	DB5110.410 General Repairs – Diesel	3,000.00

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

Presentation

2021 Audit Report was gone through by Nicole Ruf and Megan Wnek of Drescher & Malicki. She states they do not have to test anything. We will receive a management letter shortly. Department reports were gone through as a financial update.

Public Access

1. Omni has contacted to town that they are trying to reconstruct the solar project on a smaller size with more of a set-back. They will forward a plot plan to us. Attorney Musacchio suggests we do a moratorium on solar to collect our thoughts. Also, check with other towns to see if they have changed anything on solar.

Reports of Department Heads and committees

Attorney Musacchio submitted a notice of public hearing to the paper.

Building and Grounds reported the chimney project will start soon, getting quotes for the repairs to the transfer station, pickle ball court is essentially finished, the highway building project is moving along – they should start next week and it should take eight weeks to complete.

Dog Control submitted his monthly report.

Highway Department is getting ready for winter, put up new road signs, took care of minor flooding on Vail Road, the new truck is working out ok, surplus equipment that was sent to auction

was sold and would like to send the Western plow surplus and send to auction:

Resolution needed to declare the Western Contractor Grade 8'6" V Plow surplus

RESOLUTION # 153: APPROVE WESTERN CONTRACTOR GRADE 8'6" V PLOW SURPLUS

Motion made by Supervisor Martin and seconded by Councilman Sion that the Town declare the Western Contractor Grade 8'6" V Plow with no serial numbers as surplus and send it to auction.

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

Senior's program was reported by Scott Martindale: five days a week there is an exercise program, soup and sandwich lunches, on October 11th there will be a seminar on Medicare and supplemental insurance.

Town Clerk had sales in August of \$ 8,249.70 with the Town's portion \$ 4,915.92

Water department report was received from Gowanda.

Supervisor Martin read the Agricultural District notice for inclusion into the agricultural district of the town.

Board Reports

Councilman McLean met with the Code Enforcement Officer regarding zombie properties, attended the building and grounds committee meeting, attended the Supervisors Round Table meeting, updated the website and reviewed vouchers.

Councilman Sion reviewed the vouchers.

Councilman Hotnich reviewed the vouchers.

Supervisor Martin read notice of another phone overlay district to take into consideration of the additional phone numbers and reported on the sales tax amount due to the town.

New Business

1. Resolution needed to approve payment application #7 to KTG Services for the town park improvements project

RESOLUTION # 154: APPROVE PAYMENT APPLICATION NO. 7 TO KTG SERVICES LLC (CONTRACTOR) FOR THE TOWN PARK IMPROVEMENTS PROJECT

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

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

WHEREAS, the contractor for the Town Park Improvements Project, KTG Services LLC, 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 \$6,230.80, pending receipt of Certified Payroll, and that the Collins Supervisor be authorized to sign the Application and Certification for Payment.

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

2. Resolution needed to approve change order #5 for the Collins Park project

RESOLUTION # 155: APPROVE CHANGE ORDER No. 5 FOR COLLINS PARK IMPROVEMENTS PROJECT

Motion made by Supervisor Martin and seconded by Councilman McLean that the Collins Town Board hereby approves Change Order No. 5 for the Collins Park Improvements Project, to increase the contract with KTG Services, Inc by \$3,210.00 from \$126,127.91 to \$129,337.91 to account for inflation in HMA material prices and authorize the Supervisor to sign Change Order No. 6.

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

RESOLUTION # 156: ADVERTISE FOR WINTER RECREATION STAFFING

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

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

WHEREAS, the Town of Collins provides Recreational Services to the Youth of the Town, and
WHEREAS, the Recreation Program requires a Recreation Supervisor and Recreation Attendants PT to oversee the participants activities.

NOW, THEREFORE BE IT RESOLVED, the Collins Town Board approve the following ad to be placed in the Springville Journal to run for one printing each the weeks of September 24, 2022 and October 1, 2022 and the Gowanda/Lakeshore Pennysaver and News to run for one printing each the weeks of September 24, 2022 and October 1, 2022 and shall require all applications be delivered to the Collins Town Clerk no later than 4 pm, Wednesday, October 5, 2022.

Town of Collins
is accepting applications for
WINTER RECREATION STAFFING

All positions are part-time, and require weekend availability:
Recreation Supervisor PT and Recreation Attendants
Preference given to Town of Collins residents
Requirements: High school graduate or GED

Applications are available at the Collins Town Clerk's Office,
Town Website at: www.townofcollins.com
or Youth Recreation Face book Page.

Application deadline is 4:00 PM, October 5, 2022 at the Town Clerk's Office

4. Resolution needed to advertise for a deputy town clerk position

RESOLUTION # 157: ADVERTISE FOR DEPUTY TOWN CLERK POSITION

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

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

WHEREAS, a Deputy Town Clerk Position for the Town of Collins will so become available.
NOW, THEREFORE BE IT RESOLVED, the Collins Town Board approve the following ad to be placed in the Springville Journal to run for one printing each the weeks of September 24, 2022 and October 1, 2022 and the Gowanda/Lakeshore Penny saver and News to run for one printing each the weeks of September 24, 2022 and October 1, 2022 and shall require all applications be delivered to the Collins Town Clerk no later than 4 pm, Wednesday, October 5, 2022.

Town of Collins
is accepting applications for
DEPUTY TOWN CLERK
Position is part-time, with flexible hours.
Must be Town of Collins resident
Requirements: High school graduate or GED
Applications are available at the Collins Town Clerk's Office,
Town Website at: www.townofcollins.com
or on Town of Collins Facebook Page.
Application deadline is 4:00 PM, October 5, 2022 at the Town Clerk's Office

5. Resolution needed to set the date for a public hearing on 2023 Community Development Block Grant program

GRANT (CDBG) ELIGIBLE PROJECTS

Motion made by Supervisor Martin seconded by Councilman Sion to set a public hearing on October 11, 2022 at 7:30 pm to discuss 2023 Community Development Block Grant eligible projects.

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

NOTICE OF PUBLIC HEARING NOTICE TO THE CITIZENS OF THE TOWN OF COLLINS

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **October 11, 2022 at 7:30 pm** at the Collins Town Hall, 14093 Mill Street, regarding the use of Federal Community Development funds on the Town of Collins.

The Town of Collins is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low- and moderate-income persons in the Town of Collins.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Collins's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at (716) 532-4887 ext. 101 by October 5, 2022.

6. Resolution needed to approve the addition of unpaid water bills to property taxes

RESOLUTION # 159: APPROVE THE ADDITION OF UNPAID WATER BILLS TO PROPERTY TAXES

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

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

WHEREAS, in accordance with New York State Town Law §198, the Town of Collins approves the enforcement of unpaid water bill charges, by placing a lien upon the real property for which such service was provided, and

WHEREAS, Erie County Real Property Tax Department requires that all such charges to be levied on the 2023 tax bills, be voted on by the Town Board.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board approves all unpaid water bill charges in the amount of \$30,833.92 plus Administration Fee of \$12,333.53 totaling \$43,137.45 be included in the 2023 tax warrant and authorizes the Supervisor to sign the "Letter of Authorization" to Erie County.

7. Resolution needed to authorize the Town Board to apply for a JCAP Grant

RESOLUTION # 160: AUTHORIZE THE COLLINS TOWN COURT TO APPLY FOR A JCAP GRANT

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

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

WHEREAS, the Collins Town Court wishes to apply for a JCAP Grant to secure Courtroom Enhancements and upgrade both the Security Video Surveillance Cameras and the Telephone System.

NOW, THEREFORE BE IT RESOLVED, that The Board of the Town of Collins authorizes the Collins Town

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Court to apply for a JCAP Grant in the 2022-2023 grant cycle up to \$30,000.00.

8. Resolution needed to set a Town Board meeting for Monday, October 3rd for presentation of the 2023 tentative budget

RESOLUTION # 161: SET TOWN BOARD MEETING FOR MONDAY, OCTOBER 3, 2022 FOR PRESENTATION OF THE 2023 TENTATIVE BUDGET

Motion made by Councilman Hotnich, seconded by Councilman Sion to set a Town Board meeting for Monday, October 3, 2022 for presentation of the 2023 Tentative Budget.

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

9. Resolution needed to set a date for public hearing on local law #1 of 2022 establishing a local government code enforcement program

RESOLUTION # 162: SET DATE FOR PUBLIC HEARING ON LOCAL LAW No. 1 OF 2022 "ESTABLISHING A LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM"

Motion made by Councilman McLean, seconded by Councilman Sion to set a public hearing on October 11, 2022 at 8:00 pm to discuss Local Law No. 1 of 2022 "Establishing a Local Government Code Enforcement Program".

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

NOTICE OF PUBLIC HEARING

LOCAL LAW No. 1 OF 2022 "ESTABLISHING A LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM"

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **October 11, 2022 at 8:00 pm** at the Collins Town Hall, 14093 Mill Street, regarding Local Law No. 1 of 2022 "Establishing a Local Government Code Enforcement Program".

The purpose of the Hearing is to provide an opportunity for citizens to express their views on the proposed Local Law No. 1 of 2022 "Establishing a Local Government Code Enforcement Program".

The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at (716) 532-4887 ext. 101 by October 5, 2022.

10. Resolution needed to authorize participation in the New York cooperative Liquid Assets Securities System (NYCLASS)

RESOLUTION # 163: AUTHORIZING PARTICIPATION IN NEW YORK COOPERATIVE LIQUID ASSETS SECURITIES SYSTEM (NYCLASS)

Motion made by Supervisor Martin and seconded by Councilman McLean that the following resolution is:

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

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS, the Town of Collins wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

WHEREAS, THE Town of Collins wishes to satisfy the safety and liquidity needs of their funds. NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS: That Kenneth E Martin, Supervisor of the Town of Collins, is hereby authorized to participate in the NYCLASS program under the terms of

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the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

Approval / Adoption of Abstract

Resolution # 164: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman Sion that the bills be paid on abstract # 9 for 2022 dated September 12, 2022 for listed vouchers # 479 - 535 for \$ 78,168.52:

General – Townwide	15,073.15	Special Lighting	751.42
General Part Town	3,698.21	Special Refuse Fund	4,142.09
Highway	39,642.99	Water District # 1	3,744.22
Highway Cold Storage	1,710.23	Water District # 3	1,174.61
Drainage Improvements	1,948.00	Water District # 4	<u>52.80</u>
Park Improvements	6,230.80	Total	\$ 78,168.52
ADOPTED	Aye 5	McLean, Sion, Hotnich, Stelley, Martin	
	Nay 0		

New Topics

1. 2023 Town Employee Salaries – discussed and will do a 3% increase for salaried employees and \$.70 for hourly employees.
2. Disposition of slice of tree with bank account will still reside at the Peace of the Pie.
3. Winter recreation – fees and participant residence requirement – was discussed. There are a lot of non-residents participating. These programs were set up for town residents as the town taxes pay for the program. It was stated that all rates need to be increased.

With no further business, on a motion of Councilman Hotnich seconded by Councilman McLean the meeting was adjourned at 8:24 PM.

Becky Jo Summers, Town Clerk