

An Organizational Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 4th day of January 2010.

Present:	Merle Harvey, Supervisor	Mary Clark, Councilwoman
	Alan Butzer, Councilman	Susan Gamel, Budget Officer
	David Tessmer, Councilman	Becky Jo Summers, Town Clerk
	Robert Gaylord, Councilman	James Musacchio, Attorney

Others Present: Dennis Jensen, Highway Superintendent; Peter and Carol Waterman; Richard Clark; Ronald Franze Chairman, Fran Ross, R W Moppert, Water Commissioners; Joe and Janet Vogtli; Dick Agle Planning Board; Gene Degman and Charles Siegle Code Enforcement Officers; Dave and Lois Johnson; Margaret Degenfelder; Ken Martin; Mary Stelley; Bonnie Horth; Scott Williams; Richard Solem; Richard Westlund, Gowanda Penny Saver/News reporter; and Jackie Comello, Observer Reporter

Supervisor Harvey opened the meeting in memory of Sherwin Allen then called the meeting to order at 7:00 PM with the Pledge to the Flag.

Organizational Resolutions

Supervisor Harvey went through the annual organizational resolutions, town investment policy and town procurement policy.

RESOLUTION # 1 - 57: APPROVE 2010 ORGANIZATIONAL RESOLUTIONS

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to approve the following Organizational Resolutions:

1. That a Bond in the amount of \$ 100,000.00 be obtained as a blanket undertaking for all Town employees; excepting: the Justices to have \$ 200,000.00 each, the positions of Town Clerk/Tax Collector, Supervisor, Budget Officer and Deputy Town Clerk to have \$ 250,000.00 each.
2. That the Town Clerk retains the amount of \$ 250.00 Petty Cash Fund for 2010.
3. That the two Town Justices retain the amount of \$ 50.00 each Petty Cash Fund for 2010.
4. That the Town Recreation Program retains the amount of \$ 225.00 Petty Cash Fund for 2010.
5. That the Town Senior Recreation Program retains the amount of \$ 200.00 Petty Cash Fund for 2010.
6. That the Sales Tax received from Erie County be retained and applied to reduce the Real Estate Taxes to be collected by the Town.
7. Designating the official bank of the Town of Collins as HSBC Bank USA, N.A., Gowanda, NY.
8. Establishing the time of the Collins Town Board Meetings as the first and third Mondays of each month at 7:00 PM, at the Collins Town Hall. Workshop meetings will be held during the Board Meetings on the third Mondays. When the meetings fall on a legal holiday, they shall be held on the following business day.
9. Authorizing the Superintendent of Highways to rent equipment at rates not to exceed State rates.
10. Setting the mileage rate expense incurred on Town business at .40 cents per mile.
11. Authorizing the Supervisor and Budget Officer to invest Town Funds not immediately needed in Time Open Accounts (Certificates of Deposit) for interest and in Interest-Bearing Accounts pursuant to the Town's Investment Policy.
12. Appointing Gary Pope as Fire Warden in Collins and Andrew Husul as Fire Warden in Collins Center.
13. Authorizing the Supervisor to attend meetings and schools pertaining to the Office of Supervisor with expenses paid.
14. Authorizing the Town Clerk to attend meetings and schools pertaining to the Office of Town Clerk,

Office of Tax Collector and the Office of Registrar of Vital Statistics with expenses paid.

15. Authorizing the Highway Superintendent to attend meetings and schools pertaining to the Office of Highway Superintendent with expenses paid.

16. Designating the Dunkirk Evening Observer as the Town's official paper and the local Gowanda and Springville Penny Saver News as secondary publications.

17. Setting the base salary of the elected Town Supervisor at \$ 16,000.00 annually plus an additional amount of \$2,000.00 to oversee the parks and water departments; totaling \$19,000.00 for 2009.

18. Setting the salary of the four (4) elected Town Councilmen at \$ 5,500.00 each annually.

19. Setting the salary of the three (3) elected Assessors at \$ 7,265.00 each annually.

20. Appointing Robert Peglowski as Chairman of the Assessors at an additional salary of \$ 1,100.00 annually.

21. Setting the salaries of the Assessment Board of Review members at \$ 281.00 each annually.

22. Setting the salary of the Attorney for the Town at \$ 11,255.00 annually for 2010.

23. Setting the salary of the full-time Town Budget Officer/Bookkeeper at \$ 16.76 per hour.

24. Appointing Gene Degman as Code Enforcement Officer at \$ 7,955.00 annually and Charles Siegle as Assistant Code Enforcement Officer at \$ 5,465.00 annually.

25. Setting the salary of the elected Town Clerk at \$ 37,044.36 annually.

26. Setting the salary of the appointed Deputy Town Clerk at \$ 11.45 per hour.

27. Appointing Mary Dankert as Dog Control Officer at a salary of \$ 4,390.00 annually.

28. Appointing Dennis Jensen, Highway Superintendent to supervise the Transfer Station employees of the Town of Collins with the authority to schedule workers in that department.

29. Setting the base salary of the elected Town Superintendent of Highways at \$ 50,502.24 annually, plus an additional amount of \$ 1,500.00 for overseeing the transfer station; totaling \$ 52,002.24 for 2010.

30. Setting the salary of the experienced Highway Department workers (Motor Equipment Operators) as follows: Peter Waterman at \$ 20.83 per hour; Nicholas Gernatt at \$ 20.58 per hour and Mark Hobson at \$ 20.34 per hour.

31. Setting the salary of the Highway Department Automotive Mechanic at \$ 19.82 per hour.

32. That the appointed Deputy Supervisor and Deputy Highway Superintendent serve at no additional salary for 2010.

33. Authorizing all permanent full-time employees of the Highway and Water Departments be given up to a maximum of \$ 150.00 safety apparel allowance for 2010.

34. That the Highway Department Laborers be paid \$ 12.00 per hour (if not experienced, \$ 9.00 per hour for the first six months).

35. Setting the salary of the elected two (2) Town Justices at \$ 14,206.00 each annually.

36. Setting the salary of the part-time Court Clerk at \$ 15.00 per hour.

37. Appointing Carol Lazar and Elaine Thordahl as members of the Collins Library Board of Trustees to a

five year term to expire December 31, 2014.

38. Setting the salary of the Town of Collins Planning Board Members at \$ 785.00 each annually and appointing Richard Agle to a five-year term to expire December 31, 2014.

39. Setting the salary of the Chairman of the Planning Board at an additional \$ 600.00 annually.

40. Appointing James Musacchio as Town Prosecutor at \$ 3,090.00 annually.

41. Setting the salary of the Registrar of Vital Statistics at \$ 400.00 annually.

42. Appointing the Deputy Town Clerk as Deputy Registrar of Vital Statistics at no salary.

43. Appointing Joan Byrne as Seniors Program Coordinator at \$ 11.70 per hour.

44. Appointing Mary Cummings as Seniors Program Assistant at \$ 9.30 per hour.

45. Setting the salary of the Summer Recreation Program Coordinator at \$ 2,625.00 annually.

46. Setting the salary of the two (2) Summer Recreation Program Head Counselors and the Craft Coordinator at \$ 9.80 per hour.

47. Setting the salary of the Summer Beautification and Recreation Program Youth Workers at \$ 9.30 per hour.

48. Appointing Tammy Utey, Kenneth Tyger, Walter Amacher and Mark Mangano as Transfer Station Attendants at a salary of \$ 9.85 per hour.

49. Setting the salary of Daniel Stroud, Water Maintenance Worker for all water districts at \$ 21.98 per hour and Matthew Wurst, Water Maintenance Worker for all water districts at \$ 18.20 per hour.

50. Setting the salary of the Youth Services Head Associate at \$ 10.35 per hour, the Associate with concession manager responsibilities at \$ 10.35 per hour, the Craft Coordinator Associate at \$ 10.35 per hour, the Associates at \$ 9.85 per hour and the Probationary Associates at \$ 9.30 per hour.

51. Appointing Jeffrey Johnson as Youth Service Director at a salary of \$ 7,495.00 annually.

52. Setting the salary of the members of the Zoning Board of Appeals at \$ 115.00 each annually.

53. That the Tax Collector collect a \$ 1.00 surcharge for delinquent taxes for 2010 and \$ 1.00 for extra copies of tax bills.

54. Appointing Becky Jo Summers as the ADA Coordinator, Affirmative Action Officer and Bingo Inspector for 2010.

55. To re-adopt the Town Investment Policy.

56. To re-adopt the Town Procurement Policy.

57. To re-adopt the Town Rules of Procedure.

(Above resolutions were not voted on.)

RESOLUTION # 57A: DELETE RESOLUTION # 12

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to delete resolution number 12 appointing the fire wardens in Collins and Collins Center.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

RESOLUTION # 57B: CHANGE RESOLUTIONS # 17 AND 29

Motion made by Supervisor Harvey, seconded by Councilman Tessmer, to eliminate \$2,000.00 to oversee the parks and water departments from Resolution # 17. Add authority to oversee the parks and water departments on Resolution # 28 and add the amount of \$ 2,000.00 to oversee the parks and water departments on Resolution # 29.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 57C: CHANGE PROCUREMENT POLICY

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to change the Procurement Policy Guideline 3 to less than \$10,000 but greater then \$2,000 and the less than \$2,000 is left to the discretion of the purchaser.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 1 - 56: APPROVE 2010 ORGANIZATIONAL RESOLUTIONS

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to approve the Organizational Resolutions as amended.

ADOPTED Ayes 4 Butzer, Clark, Tessmer, Harvey
Nays 0
Abstained Gaylord on resolution # 7 and yes on all others

Departmental Appointments for 2010

Supervisor Harvey appointed Irvine Gaffney as Town Historian and Robert Gaylord as Deputy Supervisor. Highway Superintendent Jensen appointed Peter Waterman as Deputy Highway Superintendent. Town Clerk Summers appointed Joanne Kibler as Deputy Town Clerk.

RESOLUTION # 60: APPROVAL OF AGENDA

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to approve the agenda for this evenings meeting as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 61: APPROVAL OF MINUTES

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to approve the minutes of the December 21, 2009 meeting as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 62: APPROVAL OF ABSTRACTS

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, that the bills be paid on abstract # 25 for 2009, dated January 4, 2010 covering Vouchers # 1072 through # 1099 for \$ 17,732.80 and Abstract # 1 for 2010, Dated January 4, 2010 covering Vouchers # 1 through # 9 for \$ 61,125.29:

25 for 2009

General Town Wide	4,742.82	Refuse & Garbage	1,201.94
General Part Town	646.54	Water District 1	895.00
Highway Part Town	8,865.29	Water District 3	334.98
Street Lighting	1,046.23	Grand Total	\$ 17,732.80

1 for 2010

General Town Wide	49,472.45	Water District 1	2,157.24
General Part Town	660.06	Water District 3	644.84
Highway Part Town	8,063.04	Grand Total	\$ 61,125.29
Refuse & Garbage	127.66		

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Public Access

Lois Johnson said there is a lot of concern regarding the investigation and would like an update. Supervisor Harvey said he will look into it and bring the information back to the next meeting.

Reports

Code Enforcement Officers submitted their annual report. Fewer permits were applied for last year, but the sum total was higher.

Attorney Musacchio is meeting with the ZBA and Planning Boards on zoning and the code book and will have to check with EC Planning to see if any changes have been or will have to be made and if the master plan needs to be changed or updated. Mr. Musacchio spoke with Dan Spitzer regarding merger of the water districts. We have to come up with direction; have to know what is owed, have to figure the impact, debt load, etc. Councilman Gaylord asked the attorney if a board member can be on the library board.

Highway Superintendent Jensen reports they have been busy from the first of the year. Mr. Jensen would like approval to remove snow from the fire hall parking lots as needed. And if he has to go to the fire hall and has his fire fighting gear in the truck will there be a problem. The board said no.

RESOLUTION # 63: APPROVAL TO REMOVE SNOW FROM FIRE HALL LOTS

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to authorize the Town Highway Superintendent to remove snow as needed at both Fire Halls.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Dan Stroud would like to work 5:30 am to 2:00 pm in the winter to clear the sidewalks. The board said it is his prerogative. Eric Strickfadden and James Gernatt both worked part time plowing over the weekend. Ken Martin mentioned the hiring of them may be under the guidelines of Civil Service. Supervisor Harvey will check into it.

Town Clerk Summers reported 282 transactions for \$ 4,049.00 with the town's portion \$ 3,801.46.

Parks and Recreation Commission will meet the second Tuesday of each month and all members have agreed to stay on. Supervisor Harvey will look into the issue of the commissioner positions not formed.

Board Reports

Councilman Butzer reported the last Helmuth Advisory meeting was cancelled due to the snow.

Councilman Tessmer reported a meeting will be set up with Clinton Brown Architects regarding some issues before closing out the town hall renovation project and will meet with the supervisor before the meeting.

Councilwoman Clark reviewed the vouchers.

New Business

Resolution needed for Approval to Agreement to Spend Highway Funds

RESOLUTION # 64: APPROVE AGREEMENT TO SPEND HIGHWAY FUNDS

Motion made by Councilman Gaylord, seconded by Councilman Tessmer that the Town Board hereby approves entering into agreement with Dennis Jensen, Highway Superintendent for the 2010 Agreement to Spend Town Highway Funds in the Town of Collins, County of Erie as read and authorize all Town Board members to sign the agreement.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

New Topics – Discussion and Comments

Town Board Committees and Liaisons will be done at the next meeting.

Objectives and Goals for 2010 include merge the water districts, zoning, security camera/system, health insurance buy-out; review town fees structure and dangerous items brought out during the workplace violence seminar needs to be addressed.

With no further business, on a motion of Councilman Tessmer, seconded by, Councilwoman Clark, the meeting was adjourned at 8:02 PM. Carried unanimously.

An Organizational Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 19th day of January 2010.

Present: Merle Harvey, Supervisor Susan Gamel, Budget Officer
David Tessmer, Councilman Becky Jo Summers, Town Clerk
Mary Clark, Councilwoman James Musacchio, Attorney
Robert Gaylord, Councilman

Absent: Alan Butzer, Councilman

Others Present: Dennis Jensen, Highway Superintendent; Peter and Carol Waterman; Thomas Siegle Chair. and Dick Agle Planning Board; Richard Clark; Charles Siegle Code Enforcement Officer; Dave and Lois Johnson; Margaret Degenfelder; Tris Weiss; Kim Schuster; Beth Waters; Mary Stelley; Bonnie Horth

Supervisor Harvey called the meeting to order at 7:00 PM with the Pledge to the Flag.

RESOLUTION # 65: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the agenda as presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 66: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to approve the minutes of the January 4, 2009 meeting as presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 67: APPROVAL OF ABSTRACTS

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, that the bills be paid on abstract # 26 for 2009, dated January 19, 2010 covering Vouchers # 1100 through # 1123 for \$ 16,143.38 and Abstract # 2 for 2010, Dated January 19, 2010 covering Vouchers # 10 through # 30 for \$ 14,138.15:

26 for 2009

General Town Wide	4,024.33	Refuse & Garbage	1,109.91
General Part Town	161.98	Water District 4	<u>2,359.12</u>
Highway Part Town	8,462.04	Grand Total	\$ 16,143.38
Street Lighting	26.00		

2 for 2010

General Town Wide	3,786.09	Water District 1	1,373.55
Highway Part Town	8,559.03	Water District 3	<u>292.71</u>
Refuse & Garbage	126.77	Grand Total	\$ 14,138.15

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 68: APPROVAL OF PREPAYMENT OF HEALTH INSURANCE PREMIUM

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to authorize pre-payment of 1st quarter Health Insurance premium to BlueCross BlueShield of Western New York in the amount of \$20,534.76.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Two letters of resignation were received from Karen McAndrew of the Zoning Board of Appeals and James Lennertz of the Planning Board.

Highway Department Superintendent Jensen reported 56" of snow fell, has seven items he would like declared surplus and taken to auction in April and said we are in need of a new truck in 2011 – he will keep the 1997 and get rid of the 1975 Oshkosh. The Town of Marilla wants the roto tiller. The supervisor and town attorney will look into this.

RESOLUTION # 69: APPROVAL OF PURCHASE OF PLOW FOR HIGHWAY DEPARTMENT

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to approve purchase of one Tenco TC-11T-63-SR-St One Way Plow from Cyncon Equipment, Inc. 7494 West Henrietta Road, Rush, NY for \$ 7,467.00 from State bid.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 70: DECLARE HIGHWAY EQUIPEMENT SURPLUS AND PUT OUT TO AUCTION

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to declare 1957 Ford 800 Tractor/Sweeper ID # 48162, 1988 Hobart portable gas welder, 2000 12' Warren Sander ID # SC12829, 1978 Power Screen ID # 2306939, 1969 Adjustable Chip Box, 1970 Adjustable Chip Box, 11-19-98 TRYNZ 84" Sweeper Mega 480 ID # 10355 surplus and allow the Highway Superintendent to take them to auction in April.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Supervisor Harvey appointed Susan Gamel as Bookkeeper / Budget Officer.

Public Access

Christine Ambrose requested no parking signs be put up on her side of Maple Street.

Lois Johnson asked about the investigation. Statement will be issued later in the meeting.

David Johnson asked if signs could be put up in the library lot for court parking there. Supervisor Harvey will ask the court clerk about notices. Attorney Musacchio said he spoke with the clerk about putting a notice on the door.

Old Business

1. Resolution needed for support of proposed grant application and payment of \$371.43 for towns share of the grant application cost to the Brant-Farnham Economic Development Corporation

RESOLUTION # 71: APPROVAL OF SUPPORT AND MAKE PAYMENT FOR S.I.T.

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the following resolution:

WHEREAS, the Brant-Farnham Economic Development Corporation has proposed the application for a grant from the Community Transportation Association of America to study the viability of a Southtowns Intra-Community Transportation System that would serve the Seneca Nation, the Towns of Brant, Collins, Concord, Eden, Evans, Hamburg, and North Collins, and the Villages of Angola, Farnham, Gowanda, Hamburg, North Collins and Springville, and

WHEREAS, the Collins Town Board agreed to support the grant application if the 13 other communities solicited did the same, and

WHEREAS, the Brant-Farnham Economic Development Corporation has obtained support from the 13 other communities, and

WHEREAS, the pro-rata share from each community to cover the cost of the grant application is \$371.43.

NOW THEREFORE BE IT RESOLVED that the Town of Collins support the proposed grant application, and forward payment of \$371.43 to the Brant-Farnham Economic Development Corporation for its share of the grant application cost.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

2. Resolution needed to approve NEST representative and alternate. Liaisons and committees were gone over before the resolution.

Liaisons - 2010

Association of Erie County Government,
monthly, 3rd Thursday at 6:00 PM

Merle Harvey
alternate Rob Gaylord

Helmuth Advisory Board Jan/Jul/Nov, 1st Thursday at 7:30 PM

Alan Butzer

Highway department		David Tessmer Mary Clark
	alternate	
Northeast Southtowns Solid Waste Management Board (NEST)		David Tessmer Mary Clark
Jan/Mar/May/Jul/Sep/Nov, 2 nd Thurs. 4:00 PM	alternate	
Parks & Recreation		Mary Clark
Prison Advisory Board, May/Jun/Sep/Dec, 2nd Tuesday at 4:30 PM		Merle Harvey
Rural Transit Van Service, late Feb/Jun Picnic/late Sep		Merle Harvey
Senior Program		Rob Gaylord
Southtowns Planning & Development Group,		Merle Harvey Alan Butzer
Jan/Apr/Jul/Oct, 4 th Monday at 6:30 PM	alternate	
Transfer Station		Alan Butzer
Water Department		Merle Harvey Rob Gaylord
	alternate	

Committees - 2010

Insurance
Health and Town Insurance

Alan Butzer, Merle Harvey

Personnel
Employee Files and Reviews
Job Descriptions
Employee Handbook Update
Employee ID Badges

Dave Tessmer, Merle Harvey
Alan Butzer - alternate

Finance

Mary Clark, Rob Gaylord

Town Codes

Planning Board, Merle Harvey, Alan Butzer

Building, Grounds and
Technology

Town Hall
L K Painter
Web Site
Software
Workplace Violence

Mary Clark, Merle Harvey, Becky Jo Summers
Rob Gaylord – alternate

RESOLUTION #72: APPOINTMENT OF NEST REPRESENTATIVES

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to adopt the following:

WHEREAS, the Northeast Southtowns Solid Waste Management Board held its annual election and organization meeting on January 14, 2010, and

WHEREAS, at that meeting the Chairman requested that the 2010 community representatives and alternates be named by formal resolution, and

WHEREAS, the Town of Collins is a member of the Northeast Southtowns Solid Waste Management Board, and wishes to continue its membership.

NOW THEREFORE BE IT RESOLVED that the 2010 NEST representative from the Town of Collins be Councilman David Tessmer, and alternate be Councilman Robert Gaylord.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

New Business

1. Resolution needed for letter of support for the Peter Cooper Superfund Site

RESOLUTION # 73: APPROVAL OF LETTER OF SUPPORT FOR REDEVELOP AND REMEDIATE PETER COOPER SUPERFUND SITE

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to authorize the supervisor on behalf of the town to send a letter of support to the Gowanda Area Redevelopment Corporation for their efforts to redevelop and remediate the Peter Cooper Superfund Site for recreational purposes.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Since the two resignations were received, an ad will have to be placed to replace them.

RESOLUTION # 74: APPROVAL OF PLACEMENT OF AD

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to approve placing an ad in the next two issues of the Gowanda and Springville Penny Savers for the Planning Board and Zoning Board of Appeals. Application will be accepted until Friday, February 12th at 5:00 pm.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Parks and Recreation – Councilwoman Clark attended the meeting last week and Jeff Johnson asked for a change in the recreation schedule. He wants to add Tuesday for ages 5 – 15 from 6:30 to 8:30 pm. Now Friday's schedule is ages 5 – 12 early and ages 13 – 19 later. Friday he will switch to ages 5 – 15 also. Saturday will stay the same (ages 5 – 12 12:30 to 4:30 and ages 13 – 19 6:30 to 10:30 pm. This change will need fewer staff and cost less for personal services and fewer counselors on Tuesday. The board said it was ok to try. Mrs. Clark asked the board to think about their ideas on what to do on the park this year.

Transfer Station

One dumpster was almost full from what one business brought in. It is not fair for the taxpayers to pay for business-generated items. The supervisor and highway superintendent will talk with the business owners. The transfer station is for items generated in town and not a by-product of a business. Another issue brought up is the residents of Gowanda in the Town of Collins do not pay property tax towards the transfer station so they cannot use it. Could there be a fee instituted to cover them?

The list of 'items needing attention' was gone over.

The Planning Board and the Code Enforcement Officers went through the Kennel Permits and approved them. Chairman Thomas Siegle (Planning Board) stated he felt a public hearing would not be needed as if a neighbor has a problem they would have contacted the dog control officer at the time of the problem. Attorney Musacchio stated we have approved them by public hearing in the past. Supervisor Harvey said they would look into it to see if they can be processed without the public hearing.

Supervisor Harvey made a statement regarding the allegations of wrong doing by town employees. When the investigation was completed it went to the Erie County District Attorney, NYS Attorney General and the FBI. The E C DA chose not to prosecute and we have not heard anything from the other two. The board has received advice and many opinions. With looking out for the best overall action of the town we will keep our eyes and ears to it; we are not happy, but we will leave it set where it is. It serves no purpose to talk anymore and this is the last time it will be addressed in public unless something changes.

With no further business, on a motion of Councilman Tessmer, seconded by, Supervisor Harvey, the meeting was adjourned at 8:54 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of February 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dennis Jensen, Highway Superintendent; Peter and Carol Waterman; Gene Degman, Charles Siegle Code Enforcement Officers; RW Moppert Water Commissioner; Richard Clark; Dave and Lois Johnson; Margaret Degenfelder; Dan Saunders; Jeff Johnson and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:00 PM with the Pledge to the Flag.

RESOLUTION # 75: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 76: APPROVAL OF MINUTES

Motion made by Supervisor Harvey, seconded by Councilman Tessmer, to approve the minutes of the January 19, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 77: APPROVAL OF BUDGET TRANSFERS

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to approve the budget transfers as listed:

From	To	\$
A9010.800 Retirement		(3,481.54)
	A1110.400 Court Contractual	2,296.74
	A1620.450 Shared Service Water	102.27
	A1989.000 Unclassified	260.00
	A1620.100 Janitorial Personal	<u>731.44</u>
		3,481.54
B9050.800 Unemployment		(216.63)
	B9040.800 Workers Comp	216.63
SR8160.100 Personal Services		(798.63)
	SR8160.400 Contractual	798.63
SW1-8310.121 Personal Services		(2,157.92)
	SW1-8310.411 Water Admin – Office Exp	960.65
	SW1-8320.431 Purchase Supplies	924.00
	SW1-9040.810 Workers Comp Ins	<u>273.27</u>
		2,157.92

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 78: APPROVAL OF ABSTRACTS

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 27 for 2009, dated February 1, 2010 covering Vouchers # 1124 through # 1132 for \$ 56,298.85 and Abstract # 3 for 2010, Dated February 1, 2010 covering Vouchers # 31 through # 73 for \$ 53,712.85: # 27 for 2009

General Town Wide	6,661.54	Water District # 3	26.78
General Part Town	314.85	Town Hall Renovation	<u>49,211.60</u>
Refuse & Garbage	2.87	Grand Total	\$ 56,298.85
Water District # 1	81.21		

3 for 2010

General Town Wide	11,904.03	Water District # 1	3,956.22
General Part Town	1,531.18	Water District # 3	<u>1,040.97</u>
Highway Fund	34,947.20	Grand Total	\$ 53,712.85
Special Refuse Fund	333.25		
ADOPTED Ayes 5 Gaylord, Clark, Tessmer, Harvey			
Nays 0			

Public Access

Jeff Johnson, the recreation director, brought up the issue of the batting cage for the Gowanda Little League that was brought up last year. The Gowanda league will host the two-week long tournament in 2012. They have done fundraising for the cage and Jeff wants the cage put in the middle of the field, not where it was discussed last year. Jeff spoke of moving the volleyball court and some parking lots. The league has insurance and the groups that play in Collins Center have the town listed. The Gowanda Little League will pay for break-away bases and Matt Wurst will help Jeff put them in.

Reports

Attorney Musacchio spoke with Mark Lee of Erie County Planning and Development regarding the Master Plan and what we should do.

Code Enforcement Gene Degman reported one building permit last month and both he and Charlie Siegle attended a DEC class on storm water.

Highway Superintendent Jensen has ordered new signs for the transfer station, put other signs up, will meet with a CHIPS representative and is doing regular maintenance. This spring he would like to have a CPR course for the surrounding towns' highway departments. Deputy Highway Superintendent Waterman discussed the need for a cold storage building to be added to the existing building. It would be a 72' x 40' on the southwest corner with six doors and bays and one main door between the buildings. The last trash day went well.

Town Clerk Summers reported 347 transactions totaling \$4,121.00 and the town's portion \$ 3,988.13.

Board Reports

Councilman Gaylord with get in touch with Joan Byrne regarding the seniors program.

Councilman Butzer drafted a request from other towns regarding insurance buy-out.

Councilman Tessmer and Councilwoman Clark met with the highway department addressing items and putting a system in place.

Councilwoman Clark met with the supervisor on building issues, met with Scott Williams of the parks and recreation commission and reviewed the vouchers.

Supervisor Harvey wants to know if the building committee can obtain authorization from the board to handle the day-to-day operations of the LK Painter and town hall buildings.

Old Business

1. Resolution needed to accept two part time highway workers into civil service positions

RESOLUTION # 79: APPROVAL TO APPOINT TWO PART-TIME CIVIL SERVICE POSITIONS

Motion made by Supervisor Harvey, seconded by Councilwoman Clark, to appoint James Gernatt and Eric Strickfaden into two part-time civil service positions effective January 1, 2010.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

2. Kennel Permits

Supervisor Harvey said he thought we do not have a public hearing to renew the kennel permits. The CEO should inspect them each year and the incentives to the owners are to be good neighbors. The DCO would handle any complaints. It is not very good if the neighbors don't complain during the year and only do it at renewal time. Attorney Musacchio explained the process as it has been done in the past. A public hearing will be set up at the next meeting for renewal.

New Business

1. Collins Center Seniors – use policy of yearly funding - The town does not sponsor the Collins Center Seniors. They can submit the bill for their insurance and cost of rental of meeting place for reimbursement. Any money not requested by year's end will not be rolled over into the next year. Councilman Gaylord will talk with both Irene Pfeifer of Collins Center and Joan Byrne of the Collins group.

2. Resolution that the town board accept the volunteer services of Diane Harvey in an advisory capacity to the building committee for technology to get IT coordinated and file back-up server in place.

RESOLUTION # 80: ACCEPT VOLUNTEER SERVICES OF TECHNOLOGY ADVISORY

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the town board accept the volunteer services of Diane Harvey in an advisory capacity to the building committee for technology.

ADOPTED Ayes 4 Gaylord, Clark, Butzer, Tessmer

Nays 0

Abstained 1 Harvey

3. Resolution to transfer the unallocated sales tax for 2009 in the amount of \$ 48,119.12 to the DB Fund.

RESOLUTION # 81: APPROVAL TO TRANSFER UNALLOCATED SALES TAX TO DB FUND

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to authorize the transfer of funds from the unallocated sales tax for 2009 of \$ 48,119.12 as follows:

\$ 5,000.00 to the park expansion

43,119.12 to the DB Fund unallocated.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey

Nays 0

RESOLUTION # 82: ADOPT 2009 BUDGET MODIFICATION OF \$ 10,541.71

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the following budget modification:

A3005 – Mortgage Tax

Increase revenue \$ 10,541.71

A1620.471 Improvements A1620.470

Increase Expenditure line by \$ 10,541.71

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey

Nays 0

New Topics – Discussion and Comments

Roland Moppert said the town should have an emergency shelter and generator in case there is a disaster. Water rate increase was discussed.

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Tessmer, the meeting was adjourned at 9:14 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 16th day of February 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dennis Jensen, Highway Superintendent; Peter and Carol Waterman; Rick Solem; RW Moppert Water Commissioner; Richard Clark; Dave and Lois Johnson; Margaret Degenfelder; Dick Agle; Bob & Chris Timmel and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:00 PM with the Pledge to the Flag.

RESOLUTION # 83: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 84: APPROVAL OF MINUTES

Motion made by Councilman Butzer, seconded by Councilman Tessmer, to approve the minutes of the February 1, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION #85: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, that the bills be paid on abstract # 28 for 2009, dated February 16, 2010 covering Vouchers # 1133 through # 1136 for \$ 10,541.71 and Abstract # 4 for 2010, Dated February 16, 2010 covering Vouchers # 74 through # 127 for \$ 72,701.69:

#28 for 2009

Town Hall Renovation	10,541.71
Grand Total	\$ 10,541.71

4 for 2010

General Town Wide	5,434.92	Special Refuse	1,439.18
General Part Town	59.93	Water District # 1	1,554.19
Highway Fund	52,926.42	Water District # 3	1,064.96
Special Lighting Fund	1,235.09	Grand Total	\$ 72,701.69
Helmuth Fire Control	8,987.00		

ADOPTED Ayes 5 Gaylord, Clark, Tessmer, Harvey
 Nays 0

Public Access

Dick Agle asked if the town hall project has been paid. He does not like the one courtroom window covered up and thinks the town got took.

Board Reports

Councilman Gaylord attended the Gowanda Area Revitalization meeting, reviewed the vouchers and spoke with both heads of the seniors programs.

Councilman Butzer spoke with Thomas Wiesbeck of NYMIR regarding the batting cage. He feels there would be no problem. When completed we should speak with our insurance agent. Spoke with Anne Cooper regarding the insurance buy-out. She suggests 30% and gives it out at the end of the year.

Councilman Tessmer is still working with the highway department

Councilwoman Clark attended the recreation commission meeting. With the Tuesday night recreation it has saved 17 hours a week (approximately \$160.00). The recreation would like a protective screen 10' x 10' for the stage at about \$200.00 and a table top digital scoreboard with remote. They are not happy with the

cleaning at the LKP building. The commission would like Paul Bowers of Wm Schutt come to a meeting to discuss the park. Mrs. Clark attended the Recreation Consortium meeting last week in Hamburg with Supervisor Harvey.

Old Business

1. Resolution is needed to schedule kennel permit renewals.

RESOLUTION # 86: SET PUBLIC HEARING FOR KENNEL PERMIT RENEWALS

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to set a public hearing for the renewal of kennel permits on Monday March 15, 2010 at 7:30 pm for the following:

Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141
Carmen Caruana and Diane Caruana, 13863 Quaker Street, Collins, NY 14034
Karen Fedick, 13688 Brewer Road, Collins, NY 14034
Barbara Kinnaird, 13831 Route 62, Collins, NY 14034
Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141
Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070
Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

We can go with Mary Dankert, DCO to provide shelter or do we want someone local? We would need a lease signed with whomever we go with.

2. Set water rates for 2010.

The water budget and rates were discussed as revenues need to be increased to cover expenses and debt. Research will be done before the special meeting at 10:00 am on Wednesday, February 24th.

3. Truck for highway

RESOLUTION # 87: PURCHASE HIGHWAY TRUCK

Motion made by Councilman Butzer, seconded by Councilman Tessmer, to purchase a 2011 Mack Granite GU713 from Beam Mack Sales Service, Inc., 2674 W. Henreitta Rd., Rochester, NY 14623 as presented from on NYS OGS Heavy Truck Class 8 contract # PC62374 for \$193,819.05. This is subject to review and approval of the town's auditor and the State Comptroller's Office.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

New Business

1. Resolution needed to restore annual stipend to town historian

RESOLUTION # 88: RESTORE STIPEND FOR HISTORIAN

Motion made by Councilwoman Clark seconded by Councilman Gaylord, to restore the annual stipend of \$150.00 to Irvine Gaffney, Town Historian.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

2. Resolution needed to accept supervisor's monthly report.

RESOLUTION # 89: ACCEPT SUPERVISOR'S DECEMBER 2009 REPORT

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to accept the supervisor's monthly report for December 2009.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

Supervisor Harvey attended a meeting regarding Armes Court and upper Erie Avenue. The idea is to extend Armes Court to upper Erie Avenue. Gowanda would bill the town 135% and the town would bill the residents 200%.

Three applications were received for the Zoning Board of Appeals and none for the Planning Board.

The code enforcement officers will have to look into the number of people on court nights as there may be an issue of too many people in the rooms.

RESOLUTION # 90: APPROVE PREPAYMENT OF BILLS

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to approve pre-payment of \$ 2,142.50 to The Peyton Barlow Company, \$ 2,040.00 to Bancorp and \$ 3,618.80 to Clinton Brown Architecture.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey, the meeting was adjourned at 9:54 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Special Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 24th day of February 2010.

Present:	Merle Harvey, Supervisor	David Tessmer, Councilman
	Alan Butzer, Councilman	Susan Gamel, Budget Officer
	Mary Clark, Councilwoman	Becky Jo Summers, Town Clerk

Absent: Robert Gaylord, Councilman

Others Present: Dennis Jensen, Highway Superintendent; Peter Waterman; Dan Stroud and Matt Wurst, Water Department; Roland Moppert Water Commissioner (10:05); and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 10:00am with the Pledge to the Flag.

The board discussed lease management with Gowanda regarding Armes Court.

There is a shortfall of money in Water District # 3. Discussion of increasing rates and or taxes was discussed.

Dan Stroud spoke of the issue of having two certified people in the department and the need of two workers doing repair and regular maintenance work on the system.

The board wants to have time to research this further.

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey, the meeting was adjourned at 11:35 am. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of March 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Absent: Robert Gaylord, Councilman

Others Present: Dennis Jensen, Highway Superintendent; Peter and Carol Waterman; RW Moppert Water Commissioner; Dan Stroud and Matt Wurst water department; Richard Clark; Dave and Lois Johnson; Margaret Degenfelder; Dick Agle; Mary Stelley; Thomas Siegle planning board; Gene Degman and Charlie Siegle code enforcement; Sal and Betty Dicembre and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:00 PM in memory of Jack Gaylord with the Pledge to the Flag.

RESOLUTION # 91: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the agenda with additions.

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 92: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Butzer, that the bills be paid on abstract # 29 for 2009, dated March 1, 2010 covering Vouchers # 1137 through # 1138 for \$ 3,635.18 and Abstract # 5 for 2010, Dated March 1, 2010 covering Vouchers # 128 through # 169 for \$ 249,387.69:

#29 for 2009

Town Hall Renovation	3,635.08
Grand Total	\$ 3,635.08

5 for 2010

General Town Wide	20,745.86	Special Refuse	512.58
General Part Town	1,785.06	Water District # 1	511.06
Highway Fund	27,298.97	Water District # 3	150.94
Collins Fire District	178,337.72	Town Hall Renovation	2,142.50
Rosenburg Fire District	17,903.00	Grand Total	\$ 249,387.69

ADOPTED Ayes 4 Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 93: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to approve the minutes of the February 16, 2010 meeting as presented.

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
 Nays 0

Public Access

Sal Dicembre Sr. complained that many times his water is cloudy and putrid smelling. Supervisor Harvey will bring this up with the water commissioners.

Reports

1. Attorney Musacchio reported purchase of the highway truck is not subject to permissive referendum and it can be purchased on state bid and the CHIPS money can be used towards the price.
2. Code Enforcement Officer Gene Degman reported one building permit issued last month.
3. Highway Superintendent Jensen reported the one-ton caught on fire and they will try to get the repair shop to pay towards the repairs as the truck had just had work done on it. The highway workers will be removing snow from corners and the fire halls. Three loads of scrap have been hauled from the shop to

Buffalo. Mr. Jensen asked about mowing the areas around the fire halls. Supervisor Harvey said the town could mow and then charge the district the same as we get reimbursed for changing the oil in the fire trucks. The attorney will research this.

4. Town Clerk Summers reported sales totaling \$ 3,273.75 with the town's portion \$ 3,043.64.

Board Reports

Councilman Butzer reported Jeff Johnson is no longer head of the Gowanda Little League and the issue with the batting cage is not dead. Tuesday night recreation appears to be going well.

Councilman Tessmer reported we may lose the Hazardous Household Waste drop off program and has a resolution in support of the program. And he is working on a program to get out of handling the paper recycling collection.

Councilwoman Clark did a spreadsheet regarding the water rates and met with the highway department to set up personnel files and reviewed the vouchers.

Supervisor Harvey met with Councilwoman Clark on the building committee and gave out a request form asking for information regarding computers, etc. Met with the cleaners regarding the cleanliness of both buildings and attended the Rural Transit meeting. The Town of Concord uses the van much more than Collins residents

Old Business

1. Dog sheltering lease – Mary Dankert our dog control officer will handle sheltering services for the town.

RESOLUTION # 94: APPROVE DOG SHELTER LEASE

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, that the town enter into an agreement with Mary Dankert for a dog shelter lease at \$ 150.00 per month and authorize the supervisor to sign the agreement.

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
Nays 0

2. Water rates for district 1 and 3 – discussion on increasing the water rates was held. Councilman Butzer will do more research for the next meeting.

3. Resolution to donate \$400.00 to Gowanda Area Chamber of Commerce's Music in the Park

RESOLUTION # 95: AUTHORIZE PAYMENT OF \$400.00 FOR MUSIC IN THE PARK

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to approve donating \$ 400.00 to Gowanda Area Chamber of Commerce's Music in the Park.

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
Nays 0

4. Ford 550 plow truck fire – turn in on insurance or handle in house – The transmission was repaired before the fire. We do not know if the repair was a cause of the fire or not. We will not turn in the repair bill to the insurance company. Superintendent Jensen will talk with the repair shop to see if they will pay for all or part of the repairs.

5. Recover rotiller from Town of Marilla – Highway Superintendent Jensen will contact Marilla and ask if they will take the rototiller for \$ 1,400.00.

6. Appointment to Zoning Board of Appeals

RESOLUTION # 96: APPOINT ZONING BOARD OF APPEALS MEMBERS

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to appoint the following people to the Zoning Board of Appeals effective immediately. Their terms will expire as stated.

Kenneth Martin	December 31, 2011
David Johnson	December 31, 2012
Noel Allen	December 31, 2014

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
Nays 0

New Business

1. Resolution to support DEC Household Hazardous Waste State Assistance Program

RESOLUTION # 97: SUPPORT DEC HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to approve to following resolution:

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
Nays 0

WHEREAS, the **Town of Collins** acknowledges its responsibility to keep our communities safe, clean and healthy, and

WHEREAS, household-generated hazardous waste is a dangerous and problematic waste stream which increases risk from fire and poisonings if improperly stored, and

WHEREAS, improper disposal of household hazardous waste can pollute our environment, pose a risk to sanitation workers, and impact wildlife, and

WHEREAS, the safe recycling and/or disposal of household-generated hazardous waste is a priority for County residents and their elected officials, and

WHEREAS, the New York State Department of Environmental Conservation is authorized by section 54-0705 of the Environmental Conservation Law, and the 6NYCRR Subpart 373-4 Regulations, to enter into contracts on behalf of the State to provide grants to reimburse 50% of expenses to municipalities for Household Hazardous Waste Programs, and

WHEREAS, the **Town of Collins** has, (*through the Northeast Southtowns Solid Waste Management Board (NEST)*), worked with the Erie County Department of Environment and Planning to host annual collection events to reduce risks, protect the environment and insure proper disposal of household hazardous waste materials, and

WHEREAS, the Town of Amherst & NEST have paid the disposal costs for two Household Hazardous Waste Collection events in 2009, and

WHEREAS, the Town of Amherst & NEST have not received a State reimbursement contract from the application submitted for the 2009 program expenses, and

WHEREAS, the Town of Amherst & NEST have not been reimbursed for 50% of the costs generated by the collection events held on May 9, June 20, 2009, and

WHEREAS, there is great concern about the sustainability of the Household Hazardous Waste Collection Program and its ability to continue to offer this important service to residents of Erie County without the fiscal assistance from New York State.

NOW, THEREFORE, BE IT RESOLVED, that the **Town of Collins** does hereby urge New York State Governor David Paterson to release funds necessary to fulfill reimbursement expectations of municipalities which, in good faith, provided Household Hazardous Waste Collection opportunities to residents in 2009, and

BE IT RESOLVED, that New York State Governor Patterson, is encouraged to continue support and fund this important reimbursement program in 2010 and beyond to protect our residents and our environment, and,

BE IT FURTHER RESOLVED, that the Clerk of the **Town of Collins** shall forward copies of this resolution to Governor David Patterson, New York State Comptroller's Office, Senate Majority Leader Pedro Espada Jr, Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, and Assembly Minority Leader Brian Kolb.

2. Do we have interest in resolution from Alden on EMP (electromagnetic pulse) – hold off till next meeting

3. Flood control at pump house – FEMA will put \$10,000.00 towards it and for scope of work from Wm. Schutt & Associates will cost \$ 6,800.00.

RESOLUTION # 98: APPROVE ENGINEERING SERVICES AGREEMENT

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to accept the proposal from Wm. Schutt & Associates for engineering services in the amount of \$ 6,800.00 and authorize the supervisor to sign the agreement and submit to FEMA.

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
Nays 0

4. Monica Schultz, Morning Enrichment would like to use the gym Sunday, march 28th 10-3 for spring open house – board does not have to approve this.

5. Discuss increase in deputy superintendents pay

RESOLUTION # 99: APPROVE PAYMENT OF ANNUAL STIPEND FOR DEPUTY HIGHWAY SUPERINTENDENT

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to give Peter Waterman an annual stipend of \$ 1,000.00 for duties as Deputy Highway Superintendent, divided equally into his pay.

ADOPTED Ayes 4 Clark, Butzer, Tessmer, Harvey
Nays 0

6. Consolidation of water district 4 and upper Erie Ave – A resident of Armes Court stated people do not like being double billed for water and many have a pump to pull water up the hill. Supervisor Harvey handed out samples of agreements from other towns for review. The board is in agreement to extend Erie Avenue down to Armes Court and it will be in the lease management with Gowanda.

New Topics – Discussion and Comments

Collins Historical Society – Linda Wagner-Munro is proposing starting a Historical Society and would like a room with utilities and insurance paid in the LK Painter Community Center until she can obtain grants to self-sustain itself. This would also include a museum and library. As the society grows, it would take on more of the expense.

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 8:54 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of March 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: RW Moppert Water Commissioner; Dave and Lois Johnson; Margaret Degenfelder; Dick Agle; Christina Ambrose; Mary Stelley; Ward and Claudia Beaton and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 100: APPROVAL OF AGENDA

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 101: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to approve the minutes of the March 1, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 102: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, that the bills be paid on abstract # 6 for 2010, Dated March 15, 2010 covering Vouchers # 170 through # 226 for \$ 50,703.64:

General Town Wide	21,085.32	Special Refuse	6,386.50
General Part Town	413.07	Water District # 1	1,639.89
Highway Fund	19,473.66	Water District # 3	<u>630.20</u>
Lighting Fund #1	1,075.00	Grand Total	\$ 50,703.64

ADOPTED Ayes 5 Gaylord, Clark, Tessmer, Harvey
 Nays 0

Public Access

Christina Ambrose inquired about the 'parking for official business only' signs for the town parking lots as there have been numerous vehicles parked over night and on weekends in the lots. Councilman Tessmer with follow up on this with the highway superintendent.

Dave Johnson asked if anything has been done about a skate board park in the new park. Our insurance agent does not want us to do a skate board park. Supervisor Harvey will research this.

Public Hearing – Kennel Special Use Permit renewals

RESOLUTION # 103: MOVE TO SCHEDULED PUBLIC HEARING

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to interrupt this meeting to hold a Public Hearing advertised and scheduled for this evening at 7:30 PM.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

The public hearing was declared open. Attorney Musacchio read the notice of public hearing.

There are eight renewal permits:

1. Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141
2. Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141
3. Carmen Caruana and Diane Caruana, 13863 Quaker Street, Collins, NY 14034
4. Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070
5. Karen Fedick, 13688 Brewer Road, Collins, NY 14034
6. Barbara Kinnaird, 13831 Route 62, Collins, NY 14034

7. Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
8. Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034

Comments were asked for from the floor:

A resident stated she has a problem with her neighbor putting dogs in the front yard as it is always wet and muddy. The owners stated they are aware of this and put hay down every year to keep the area dry.

With no more comments, the hearing was closed.

RESOLUTION # 104: CLOSE PUBLIC HEARING

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to close the Public Hearing at 7:39 PM.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 105: APPROVE DOG KENNEL SPECIAL USE PERMITS

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to approve the Dog Kennel Special Use Permit applications for the following applicants:

Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141
Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141
Carmen Caruana and Diane Caruana, 13863 Quaker Street, Collins, NY 14034
Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070
Karen Fedick, 13688 Brewer Road, Collins, NY 14034
Barbara Kinnaird, 13831 Route 62, Collins, NY 14034
Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Reports

Councilman Gaylord attended the Collins Fire Department Installation Dinner and reviewed the vouchers.

Councilman Butzer reported the occupancy signs will be mailed shortly, attended the Helmuth Advisory meeting and received information from the Association of Towns regarding the water rates.

Councilwoman Clark worked with Councilman Butzer and Bookkeeper Sue Gamel on the water rates, reviewed the vouchers and spoke with Jeff Johnson, recreation director about increasing the time of the March 27th recreation until midnight and wants to hold a movie night on March 30th.

Supervisor Harvey attended the Collins Fire Department Installation dinner and swore in a few groups

Old Business

1. Collins Historical Society - Attorney Musacchio spoke with the Association of Towns and was told it would be ok for us to offer space and utilities for this. The board would like Mrs. Munro attend a meeting.

2. Resolution to increase water rates in districts 1 and 3 – Councilman Butzer handed out what he and Councilwoman Clark have been working on and explained his idea. Discussion covered increasing rates, time worked for the two water workers and cutting expenses.

Councilwoman Clark reported Sue Gamel spoke with the town's accountant that we can set up an agreement whereby the town can loan money to water district 1 to pay back water district 3 and can charge any interest rate for payback. It would also help on income if we did away with the declining rate system.

Councilman Butzer wants all to research cost and income for the water districts.

RESOLUTION # 106: APPROVE 10% INCREASE IN WATER RENTS

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to approve the following resolution:

DEFEATED Ayes 2 Gaylord, Harvey
 Nays 3 Clark, Butzer, Tessmer

Whereas, the Town of Collins has established different water district to provide clean safe and abundant water to these districts, and

Whereas, each district operates under a government accounting system and should be organized and

operated on a fund basis, and

Whereas, a fund is defined as a fiscal and accounting entity with a self balancing set of accounts, recording cash and financial resources, together with all related liabilities and residual equities or balance, and charges there in; which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulation, restrictions or limitations, and

Whereas, debt service cost are generally covered by taxes on assessed value of district, and

Whereas, operation and maintenance cost are generally covered by water rates, and

Whereas, present water rates are insufficient to cover all operation and maintenance cost.

Now, Therefore Be It Resolved that the Town of Collins will institute a water rate increase in water district # 1 and water district # 3.

Be It Further Resolved that the water rate increase will be in the amount of 10% of the present water rates of district # 1 and district # 3.

New Business

1. Morning Enrichment Program (Mrs. Monica Schultz) would like (per her insurance company) an enclosed-fence play area for her program with a lockable gate.
2. Letter of support for Metro Link Bus Service for Gowanda – Collins area

RESOLUTION # 107: APPROVE LETTER OF SUPPORT FOR METRO LINK BUS SERVICE

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to send a letter of support for the Metro Link Bus Service for Gowanda – Collins area.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays 0

New Topics – Discussion and Comments

1. Leak in center roof of LK Painter gym – Supervisor Harvey will look into this
2. Review rules of procedure

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Tessmer, the meeting was adjourned at 9:12 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 5th day of April 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Thomas Siegle Planning Board Chairman; RW Moppert Water Commissioner; Lois Johnson; Margaret Degenfelder; Dick Agle; Ray & Sue Baker; Christina Ambrose; and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 108: APPROVAL OF AGENDA

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 109: APPROVAL OF MINUTES

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to approve the minutes of the March 15, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 110: APPROVAL OF BUDGET TRANSFERS

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to approve the budget transfers as presented:

From	To	\$
2009		
A1620.410 Repairs		(614.39)
	A1620.100 Janitorial	462.31
	A1340.100 Budget Office	151.18
		<u>3,481.54</u>
SW1-8310.121 Personal Service		(4,582.34)
SW1-9060.810 Hospital, Medical		(3,917.79)
	SW1-8320.421 Purchase Tools, Equip	8,169.86
	SW1-8340.410 Truck Travel	430.27
		<u>-0-</u>
SW3-8320.455 Lagoon Cleaning		(2,100.00)
SW3-8320.415 Power, Heat, Light		(38.90)
	SW3-8320.425 Source of Supply tools Eq.	2,138.90
		<u>-0-</u>
SW4-8320-426 Source of Supply purchase water		(624.82)
	SW4-8320.436 Source of Supply purchase tools	624.82
		<u>-0-</u>
2010		
A1220.400 Supervisor Personal		(2,000.00)
	A5010-100 Transptn Admin, Personal	2,000.00
		<u>-0-</u>

RESOLUTION # 111: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 7 for 2010, dated April 5, 2010 covering Vouchers # 227 through # 281 for \$ 50,767.59:

General Town Wide	23,503.17	Special Refuse	421.25
General Part Town	2,861.07	Water District # 1	3,167.95
Highway Fund	18,887.49	Water District # 3	922.15
Lighting Fund #1	1,004.51	Grand Total	\$ 50,767.59
ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey			
Nays 0			

Public Access

Christina Ambrose inquired about the signs for 'official business only' parking at the town hall parking lot. The signs have been made and will be put up after renovation and the sheriff or troopers will enforce.

Department Reports

Code Enforcement handed out their monthly report.

Attorney Musacchio said the town can mow the fire halls for in-kind work as cleaning out the culverts.

Highway Superintendent Jensen reported the 1 Ton truck is back and works good; roads will be swept; will dig up the tile line in the town hall parking lot this month, will take items to the April 17th auction and prisoners are here raking leaves.

Planning Board will meet this Thursday. Last meeting they met with Gernatt's regarding their mining permit. Town Clerk reported sales of \$ 5,431.00 and the town's portion \$ 4,533.30. \$ 2,070.277.10 has been collected in taxes up through March 31, 2010.

Zoning Board of Appeals will meet Tuesday April 6th.

Board Reports

Councilman Gaylord attended the Collins Center Seniors meeting last month at the American Legion, the Spirit of Gowanda Dinner and went to the transfer station to see how it is run.

Councilman Butzer received the occupancy sign for the courtroom, wants to meet with the Highway Superintendent regarding the transfer station. Mr. Butzer received a phone call from the state comptroller's office regarding the allocation of operation and maintenance costs for the water districts. A copy of the resolution he made up will be handed out to the board.

Councilman Tessmer reported the highway department cleaned out the ditch on Cemetery Rd which took care of the drainage problem on S Quaker and Cemetery Roads. NEST will host a drive through community pharmaceutical drop-off program for unused household medications this Saturday at St. Joseph Hospital in Cheektowaga. Mr. Tessmer met with Sue Athridge of Abitibi Consolidated regarding paper recycling. They will place a bin at the transfer station and when full they will empty it and pay us.

Councilwoman Clark met with the highway superintendent and deputy and reviewed the vouchers.

Supervisor Harvey went with Highway Superintendent Jensen to check the elevation at the ball field and found it to be off. Paul Bowers of Wm Schutt and Associates will be contacted and a meeting set up. Attended NFTA meeting, Supervisors meeting, Erie County Governments meeting and the town's water commissioners' meeting. We are overdue on the tank inspections (cost \$2,600.00 each). The Collins Center tank does not have an automated system on filling the tank; a float switch will be researched. There is more iron being put into the stream. Previously the level was .3 and now it is 1.1. The commissioners want to close the loop on Flavia Circle and have the engineers look at it.

Old Business

1. Fence for Morning Enrichment program – The program runs 8 – 9 months a year and pays \$100.00 per month. Councilman Tessmer asks is there any need for the town to put a fence in? If the tenant wants something not there, they should pay for it. Councilwoman Clark asked should the taxpayers pay for something a for-profit tenant wants. Councilman Gaylord suggests she would have to pay for the fence and gift it to the town and not lock it. Attorney Musacchio said to put the fence in and increase her rent to cover the cost of the fence.

2. Review Rules of Procedure

Supervisor Harvey went through a number of the rules with the board.

3. Time Warner fiber cable line to the library - the cable is being requested by the BECPL

RESOLUTION # 112: APPROVE INSTALLATION OF FIBER CABLE IN LIBRARY BUILDING

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to authorize the Collins Public Library install a fiber cable for Time Warner in the building at no cost to the town.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

New Business

1. Resolution to approve engagement letter with Freed Maxick & Battaglia PC

RESOLUTION # 113: APPROVE ENGAGEMENT LETTER WITH ACCOUNTANT

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to approve the engagement letter with Freed Maxick & Battaglia PC, accountant for the town, and authorize the supervisor to sign the letter.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

2. Engage Wm. Schutt & Association to solve water problem in District #1

RESOLUTION # 114: ENGAGE WM. SCHUTT & ASSOC REGARDING WATER

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to engage Wm. Schutt & Associates to look at, consult with the town and give a cost estimate on the water problem in Seneca Heights and close the water loop on Flavia Circle.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

3. Elevator Inspection – tabled to next meeting

4. Little League Baseball use of gym during spring season – The Little League would like to use the gym during the season

RESOLUTION # 115: APPROVE USE OF LKP COMMUNITY CENTER GYM FOR LITTLE LEAGUE

Motion made by Supervisor Harvey, seconded by Councilwoman Clark, to approve the Little League Baseball use the LK Painter Community Center gym during the spring season at no cost. The gym is to be used by all teams in a fair and equitable manner.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

The LK Painter Community Center was broken into Thursday or Friday night. The sheriff was called Saturday afternoon after the break-in was discovered. A few items were taken, things were thrown around and some damage was done.

5. Recycle Bins, transfer station

RESOLUTION # 116: ENTER INTO NON-BINDING AGREEMENT FOR RECYCLE OF PAPER PRODUCTS

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to approve the following:

WHEREAS, the Town of Collins wishes to conserve costs and limit the use of Town resources in the handling and transportation of paper products for recycling, and

WHEREAS, the Town has investigated a more comprehensive recyclable paper handling program that will accommodate a wider variety of paper products, and

WHEREAS, Town officials met with representatives from Abitibi-Bowater to discuss our recycling needs, and

WHEREAS, Abitibi-Bowater can provide a comprehensive paper recycling program that will save transportation and material costs to the Town, while providing a revenue source.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins enter into a non-binding agreement with Abitibi-Bowater to handle, transport, and recycle paper products through their Paper Retriever program effective immediately and authorize the placement of recycling bins at the Transfer Station.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

6. Municipal Clerk's Week April 19 – 23, 2010

RESOLUTION # 117: MUNICIPAL CLERK WEEK RESOLUTION

Motion made by Councilman Tessmer, seconded by Supervisor Harvey, to adopt the following resolution:

WHEREAS: the Office of the Municipal Clerk, a time honored and vital part of the local government exists throughout the world,

WHEREAS: the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS: the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS: Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS: the Municipal Clerk is the information center on functions of local government and community.

WHEREAS: Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

WHEREAS: it is most appropriate we recognize the accomplishments of the Office of the Municipal Clerk.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins, does hereby recognize the week of April 19 through April 23, 2010 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Becky Jo Summers and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

7. Approve attendance at Houghton Seminar

RESOLUTION # 118: APPROVE ATTENDANCE AT HOUGHTON COLLEGE SEMINAR

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve all town employees with a need to attend and desires to attend the 17th Annual Local Government Conference at Houghton College on May 5th be authorized to attend at town expense.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

New Topics – Discussion and Comments

Sole Appointed Assessor- Supervisor Harvey received notice from the NYS Office of Real Property Service that Susan Baker has been removed from office for non-compliance. Information was handed out to the board regarding appointing an assessor to look over for further discussion.

Recreation keys returned – since the winter recreation program is over all keys should be returned to the clerk's office to be signed back into inventory.

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Tessmer, the meeting was adjourned at 9:25 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 19th day of April 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dick Agle Planning Board; Ron Franze Chairman and RW Moppert Water Commissioners; Gene Metzger; Lois Johnson; Margaret Degenfelder; Dick Agle; Christina Ambrose; and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 119: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the agenda as amended.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 120: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to approve the minutes of the April 5, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 121: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 8 for 2010, dated April 16, 2010 covering Vouchers # 282 - 330 for \$ 95,021.21:

General Town Wide	5,151.23	Water District # 1	24,255.88
General Part Town	2,251.03	Water District # 3	15,169.55
Highway Fund	5,897.99	Library Fund	39,750.00
Lighting Fund #1	23.00	Water District # 4	<u>2,379.20</u>
Special Refuse	143.33	Grand Total	\$ 95,021.21

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 122: AUTHORIZE PREPAYMENT OF TWO BILLS

Motion made by Councilwoman Gaylord, seconded by Supervisor Harvey, to authorize the prepayment of the following bills:

NYS Insurance Fund	Workers compensation	\$ 5,724.50
Office of State Comptroller	Basic accounting school	83.00

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Public Access

Christina Ambrose thanked the board for taking care of her issues and asked if there is any law that people have to have homeowners insurance.

Board Reports

Councilman Gaylord attended the library trustee meeting and the seniors meeting.

Councilman Butzer will be attending the seminar at Houghton College for his employment; visited the transfer station and reported a problem with people wanting to put pizza boxes in the cardboard where they cannot go. Mr. Butzer and Councilwoman Clark met with Paul Bowers of Wm Schutt & Association regarding Water District #3.

Councilman Tessmer will follow up with Abitibi Consolidated on delivery of the paper recycle bin for the transfer station.

Councilwoman Clark reviewed the vouchers; did a walk-through at the LKP with Councilman Butzer and

came up with a list of items, some related to the break-in, to be repaired and cleaned up. Mrs. Clark, Councilman Butzer and Matt Wurst met with Paul Bowers at the Collins Park. The sink hole will be hand dug by Mr. Wurst. A list of items our insurance wants done at both parks was read by Matt Wurst. Supervisor Harvey attended a Scenic By-Way meeting sponsored by EC Legislator John Mills. The \$ 1,400.00 check was received from the Town of Marilla for the roto tiller and \$ 16,591.52 was received for court fines and fees from March.

Old Business

1. LK Painter Community Center roof need repair, maybe we should plan on our highway department doing it. Councilman Gaylord will look into the prisoners doing the work
2. Elevator inspection – Schindler installed the elevator and they are required to do a yearly test. The New York Code says elevators must be inspected twice a year. Supervisor Harvey will contact Schindler Elevator and have them inspect it twice a year.
3. Inspection of water tanks is due this year; last done in 2004. Councilman Butzer asked if there are any local inspection companies as there is travel. Supervisor Harvey will look into it.

New Business

1. Part time help for parks – advertise for two beautification workers and one part time parks worker to work longer with Matt Wurst. We will look into obtaining a 16' fold up mower to cut down mowing time.

RESOLUTION # 123: APPROVE PARKS AND RECREATION COMMISSION ADVERTISE FOR TWO BEAUTIFICATION WORKERS

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to authorize the Parks and Recreation Commission to advertise for two (2) beautification employee positions.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 124: APPROVE ADVERTISEMENT FOR ONE PART TIME PARKS WORKER

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to advertise for a part time parks helper with length of day and salary to be determined.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

2. Resolution – water district #3 was gone over by Councilman Butzer.

New Topics – Discussion and Comments

1. Proclamation for Collins Draft Horse, Ox and Pony Club

RESOLUTION # 125: PROCLAIM DRAFT ANIMAL DAY MAY 2, 2010

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to wit:

WHEREAS, the Town of Collins has a deep rural agricultural heritage, and

WHEREAS, the Collins Draft Horse, Ox and Pony Club, Inc., has for the last twenty-seven years promoted and preserved our said agricultural heritage for the benefit of all through its ANNUAL PLOWING FESTIVAL,

NOW THEREFORE BE IT RESOLVED that Sunday, May 2, 2010 be officially designated and proclaimed "DRAFT ANIMAL DAY" in the Town of Collins, and

BE IT FURTHER RESOLVED that the promotion and preservation efforts of the Collins Draft Horse, Ox and Pony Club, Inc. be duly and formally recognized and commended by all residents of the Town of Collins.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

2. Employment application and standardized accident report forms were handed out to go through and give suggestions to the personnel committee.

3. Committee appointments:

Supervisor Harvey and Councilman Tessmer will be on the water committee to try and come up with the best way to approach the shortfall.

Supervisor Harvey and Councilman Gaylord will be on the LKP Center committee to assess the building and the usage.

RESOLUTION # 126: EXECUTIVE SESSION

Motion made by Supervisor Harvey, seconded by Councilman Butzer, that this Board moves into an executive session at 9:03 PM to discuss the employment history of a particular employee.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

RESOLUTION # 127: RETURN TO REGULAR SESSION

Motion made by Councilwoman Clark, seconded by Councilman Butzer that the Board returns to regular session at 9:33 PM.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey, the meeting was adjourned at 9:33 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 3rd day of May 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Dick Agle Planning Board; Ron Franze Chairman, Fran Ross and RW Moppert Water Commissioners; Ted Welch of SGI; Gene Degman and Charlie Siegle Code Enforcement Officers; Richard Clark; Lois Johnson; Margaret Degenfelder; Dane and Shannon Stocker; Janet Vogtli and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 128: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the agenda as amended.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 129: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to approve the minutes of the April 19, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 130: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, that the bills be paid on abstract # 9 for 2010, dated May 3, 2010 covering Vouchers # 331 - 376 for \$ 87,108.91:

General Town Wide	45,056.63	Water District # 1	1,039.60
General Part Town	1,489.21	Water District # 3	286.07
Highway Fund	27,435.28	Water District # 4	<u>5.15</u>
Helmuth Fire Control Fund	8,987.00	Grand Total	\$ 87,108.91
Special Refuse	2,809.97		

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

Public Access

1. Ted Welch, Business Administrator for Springville Griffith Institute addressed the board regarding their 2010 – 2011 Proposed Budget.
2. Janet Vogtli inquired about a letter of support, asked about the water continually running on Flavia Circle and stated she heard the town would not have a beautification program. Supervisor Harvey explained there will be one part time parks worker starting earlier and finishing later than the two beautification workers this year.

Reports

Attorney Musacchio drafted a letter to the fire company regarding mowing, drafted Local Law # 1 of 2010 regarding parking on town property and reported what would have to be done to extend the water district.

Code Enforcement Officer Degman handed out the monthly report.

Highway Superintendent Jensen reported receiving \$10,777.50 for items taken to the auction in April. The new bin for paper recycling at the transfer station is working well; a water leak in Collins Center has been fixed and with the new gas, the tanks will have to be cleaned out and the filters changed.

Parks and Recreation – Councilwoman Clark reported on the last meeting where they talked about the beautification and Scott Williams, Chairman has the list of who to hire for the 0beautification program.

Town Clerk Summers reported \$4,561.50 in sales last month with \$4,207.50 is the town's share.

Board Reports

Councilman Gaylord reviewed the vouchers.

Councilman Tessmer reported on the water committee meeting and discussed their plan of action. The new paper bin at the transfer station was almost filled after one and a half weeks. The highway computer has issues; the Geek Squad will be out Monday to assess the situation.

Councilwoman Clark attended the recreation commission meeting, reviewed the vouchers. Reported Jeff Johnson has offered to take care of dressing the ball diamonds if the town provides the materials and asked about the little league shed for their equipment.

Supervisor Harvey attended the Southtowns Planning & Development meeting, Association of Erie County Governments meeting.

Old Business

1. LK Painter Community Center repair resolution

RESOLUTION # 131: AUTHORIZE REPAIRS AT LK PAINTER COMMUNITY CENTER

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to wit:

Whereas, the Town of Collins is responsible for the maintenance of the L. K. Painter Community Center, and

Whereas, the L. K. Painter Community Center was broken into several weeks ago, and sustained minor damage caused by this vandalism, and

Whereas, Matt Wurst has indicated that he is able to repair and/or replace damaged doors, cabinets, locks, etc. including re-keying exterior doors, and

Whereas, postponing these repairs further compromises the security of the L. K. Painter Community Center, and

Whereas, it has been determined that it is not in the best interest of the Town to submit a claim for this damage through the insurance company.

Therefore, Be It Resolved, that the damage caused by this vandalism be repaired as soon as possible, without further approval by the board, unless any item or repair exceeds \$1,000.00 pending approval of the town's insurance, NYMIR.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

2. Park improvements - NYMIR

RESOLUTION # 132: AUTHORIZE REPAIRS / UPDATING OF TOWN PARKS

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to wit:

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Whereas, the Town of Collins is responsible for the maintenance of the Town parks and playgrounds, and,

Whereas, our insurance company has made recommendations regarding playground equipment, and,

Whereas, the parks and playgrounds are in need of repair or updating, and,

Whereas, Matt Wurst has proposed making those necessary repairs, plus adding the required signage and trash receptacles in the new park, replacing the water fountain in Collins Center, and building sandboxes in both the Collins and Collins Center parks, and,

Whereas, it is in the best interest of the Town and its residents to complete this work,

Therefore, be it resolved that the playground equipment be modified to the insurance company's requirements, that the signage and trash receptacles be placed in the new Collins park, that sandboxes be built in the Collins and Collins Center parks, and that the water fountain at the Collins Center park be repaired and/or replaced as soon as possible, without further approval by the board, unless any item or repair exceeds \$1,000.00.

3. Lawn mower purchase resolution – a larger mower would cut down the time it takes to mow town properties. 14 acres were mowed in approximately six hours vs. 16 hours with the smaller mower. Matt Wurst stated all town properties are mowed weekly, weather permitting.

RESOLUTION # 133: AUTHORIZE PURCHASE OF MOWER

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to wit:

Whereas, the Town of Collins has undergone a significant park expansion, and

Whereas, this expansion has caused a considerable increase in man hours to mow and maintain, and

Whereas, the Wood fifteen foot fold up finish mower has demonstrated a significant reduction in the man hours to complete this job.

Now, Therefore Be It Resolved that the town purchase said mower for \$5,500.00 from Lamb and Webster with funds from the park budget subject to compliance with the procurement policy.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

4. Water tank inspection – four bid were received to inspect both water tanks:

Robotic Observation Ventures, Hamburg, NY	\$ 2,640.00
Van Meter Consulting, Cocoa, FL	2,950.00
Mumford-Bjorkman Associated, Inc., New Castle, DE	6,400.00
Ron Perrin Water Technologies, Fort Worth, TX	7,000.00

RESOLUTION # 134: AUTHORIZE INSPECTION OF BOTH TOWN WATER TANKS

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to wit:

Whereas, the town has two vertical water tanks, and

Whereas, the water tanks are due to be inspected, and

Whereas, bids were solicited from several companies.

Now, Therefore Be It Resolved that the low bid received from Robotic Observation Ventures from Hamburg, NY be awarded the contract for the bid total of \$2,640.00 for both tanks

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

5. Part time parks help –

RESOLUTION # 135: AUTHORIZE HIRING OF BEAUTIFICATION WORKERS

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, that the town hire for the summer beautification program Vitoriano Franco, Daniel Sawyer and Lindsey Post and as an alternate Hayley Ploetz.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Help is needed to mow and trim before the beautification workers are hired and after the workers go back to school.

RESOLUTION # 136: AUTHORIZE HIRING OF PART TIME PARKS WORKER

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to interview and hire a part time parks worker on an as needed basis at a maximum of 40 hours. Interview and bring a recommendation to the board to hire.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Councilman Gaylord has contacted corrections regarding help at the LK Painter Community Center. It would depend on the type of work they would be requested for. If they do work of a unionized trade we may be subject to have a journeyman on the payroll. The work crew is booked through the end of August; they may be available this fall.

New Business

1. Parks development resolution

RESOLUTION # 137: AUTHORIZE COUNCILWOMAN CLARK AS LEAD PERSON ON TOWN PARK PHASE 3 WITH ABILITY TO EXPEND UP TO \$1,000.00

Motion made by Councilman Butzer, seconded by Councilman Tessmer, to wit:

Whereas, the Town of Collins has a diverse population of young families, youth, seniors and single individuals, and

Whereas the town desires to continue increasing recreation opportunities and facilities to all residents of the town, and

Whereas, the town has obtained land, completed site work, erected playground equipment, built a walking path and a ball diamond, and

Whereas, the town wishes to continue the development of its parks via sound planning, sound engineering and sound fiscal decision making, and

Whereas, Mary Clark has the greatest experience and knowledge of the towns recreation program and the best track record of developing town recreational opportunities.

Now Therefore Be It Resolved, the Town of Collins appoints Mary Clark the authority to contact Paul Bowers to begin discussions on Phase 3 of the park expansion and further designates Mary Clark as the

lead person on this town initiative.

Be It Further Resolved that the town board authorizes Mary Clark authority to expend up to \$1,000.00 in necessary expenses without board approval.

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Tessmer,
Nays 1 Harvey

New Topics – Discussion and Comments

Daily work logs – retirement system - The NYS Retirement system is requiring all employees in the retirement system that do not do a regular time sheet/clock fill out a three-month log that will be reported to the system. The report is to be given to the town clerk.

The town is in need of an IT person.

Supervisor Harvey received a phone call regarding the Sand Hill Cemetery and told them the town does not mow the area.

The Gowanda Ambulance has gone to third-party billing. Some people may receive a bill after their insurance company pays. Supervisor Harvey said if anyone receives this bill to contact him.

FEMA will fund reconstruction, etc. of Tri County Memorial Hospital. Councilman Gaylord suggests a letter of congratulations and offer our help on relocating the hospital

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 10:15 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 17th day of May 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman arrived 7:25
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Dick Agle Planning Board; RW Moppert Water Commissioners; Dave and Lois Johnson; Margaret Degenfelder; Richard Westlund, reporter Gowanda Penny Saver News and Matt Parloff, reporter Observer

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

RESOLUTION # 138: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the agenda as presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 139: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to approve the minutes of the May 3, 2010 meeting as presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 140: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 10 for 2010, dated May 17, 2010 covering Vouchers # 377 - 405 for \$ 23,149.11:

General Town Wide	9,031.83	Special Refuse	280.92
General Part Town	5,914.67	Water District # 1	1,540.14
Highway Fund	5,970.79	Water District # 3	<u>387.76</u>
Special Lighting Fund	23.00	Grand Total	\$ 23,149.11

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

Board Reports

Councilman Gaylord attended the NEST meeting and reviewed the vouchers.

Councilman Tessmer reported on a residential computer drop-off day May 22; will attend a municipal law conference sponsored by Hodgson Russ and is working with Denny Jensen on a work order log sheet.

Councilwoman Clark reviewed the vouchers; received a call from Matt Wurst that he has installed two cabinets in the recreation room at the LKP and has checked on getting replacement doors.

Supervisor Harvey met with Councilwoman Clark regarding an IT person for the town; was contacted by a counselor from Social Services looking for space to counsel one family for approximately one and a half hour per week the middle of June.

Councilman Butzer arrived at 7:25 pm.

Councilman Butzer was contacted by owner of a Becker Road dairy farm asking for road signage as they know have their milk picked up by a larger tanker; attended the Helmuth Advisory meeting; called Erie County regarding water tank inspections and received names of two local vendors and learned if we have volunteers do any work we need insurance coverage of them.

Old Business

1. Review proposed local law regarding parking – set public hearing. Proposed local law was written up by Attorney Musacchio and went over. Comments were received for and against for the audience. A public hearing will be set at 7:30 pm on Monday June 21st.

2. Flavia Lane water proposal – Wm. Schutt & Associates, P.C. submitted a proposal to perform professional services for Water District No. 1 – Flavia Lane waterline loop. The proposal contains the wrong lineage. Wm. Schutt & Associates, P.C. will be asked for a corrected proposal and the water commissioners will be asked to review it and give a recommendation to the town board.

New Business

1. Resolution on bulk water – Councilman Tessmer is working on ideas of getting a better handle on the system of bulk water sales.

RESOLUTION # 141: AUTHORIZE BULK WATER PURCHASE OF WATER PROCEDURE

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to wit:

Whereas, the Town of Collins has numerous customers for bulk purchases of water, primarily throughout the spring, summer and fall months, and

Whereas, bulk water purchasers traditionally fill their tanks from the hydrant by the Collins Highway on Palmerton Street, and

Whereas, the bulk water customers currently fill their own trucks, are responsible to estimate how many gallons they remove from the system, and then send notice and payment to the Town of Collins via their own record keeping, and

Whereas, there is currently no Town staff present at the time of bulk water withdrawals, no meter installed to record removals, no log sheet that is signed by bulk purchasers or signed by town staff at the times of pick up, no detail or description of bulk water sales in water department monthly reports, and

Whereas, the Town should run its departments in a more business-like manner, with better record keeping and controls.

Now Therefore Be It Resolved, the hydrant by the Town Highway Building on Palmerton Street shall be the sole designated source for the purpose of bulk tank water sales, and that the Town shall purchase and install a water meter with backflow prevention acceptable to the Town, and further require and notify all bulk water users to sign for and record their activity each time they remove water from the system, and

Be It Further Resolved, Town personnel shall compare the meter reading to the log at least once every workday, sign it themselves, and include all activity from this meter in the monthly water report to the town board.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

A resolution is needed to set the public hearing on Local Law # 1 of 2010

RESOLUTION # 142: SET PUBLIC HEARING ON LOCAL LAW #1 OF 2010

Motion made by Councilman Gaylord, seconded by Councilman Butzer, to set a public hearing on Proposed Local Law # 1 of 2010 (stopping, standing or parking of vehicles on town owned property) on Monday, June 21, 2010 at 7:30 pm.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

2. Request from library to redo the parking lot – In 2007 the lot was leased and striped.

RESOLUTION # 143: PUT OUT TO BID REDOING LIBRARY PARKING LOT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to put out to bid the resealing and striping of the library parking lot. The quality of the sealant is to be determined by Highway Superintendent Jensen and Councilman Gaylord.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

3. Mowing of un-maintained (delinquent) properties - Supervisor Harvey suggests taking Bob Timmel's

2009 bid for a one-time mowing of those properties identified by the Code Enforcement Officer.

RESOLUTION # 144: ONE TIME MOWING OF DELINQUENT PROPERTY

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to have last years bid-awarded mower mow those properties identified by the Code Enforcement Officer for one time.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 145: PLACE AD FOR MOWING OF DELINQUENT PROPERTIES

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to place an ad in the Gowanda Penny Saver to solicit bids for the owing of delinquent properties. The ad is to be placed for one week and bids will be accepted until 5:00 pm Tuesday, June 1st.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

New topics – Discussion and Comments

1. Cleaners – Supervisor Harvey and Councilwoman Clark discussed the cleaning of the town hall and the LKP Community Center. The contract with the current cleaners is up July 1, 2010 with an automatic renewal if not notified 30 days prior to expiration. We will solicit bids for cleaning of both buildings with a stipulation that Coverall can bid but not with the same sub-contractor.

RESOLUTION # 146: REQUEST SOLICITATION OF BIDS FOR CLEANERS FOR TOWN HALL AND LK PAINTER COMMUNITY CENTER

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to have the existing contract with Coverall be reviewed by the town attorney, solicit bids for a cleaner with the stipulation that Coverall can submit a bid but not the same sub-contractor. Advertise the first week of June for cleaning.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 147: SUPERVISOR'S MONTHLY REPORT

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, that the Supervisor's Monthly report for January 2010 is accepted as submitted.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 8:50 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 7th day of June 2010.

Present: Merle Harvey, Supervisor
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 David Tessmer, Councilman
 Becky Jo Summers, Town Clerk
 Sue Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Dick Agle Planning Board; Ron Franze Chairman, RW Moppert Water Commissioners; Dave and Lois Johnson; Margaret Degenfelder; Mr. & Mrs. Leith; Bob Timmel; Richard Westlund, reporter Gowanda Penny Saver News and Matt Parloff, reporter Observer

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

RESOLUTION # 148: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Presentation: 2009 Town Financial Audit Report – Freed Maxick & Battaglia

Laura Landers, accountant from Freed Maxick & Battaglia, PC, presented the board the Basic Financial Statements for year ending December 31, 2009. Ms. Landers explained the management letter and report to the board. The town has a healthy fund balance and all is in good shape.

RESOLUTION # 149: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to approve the minutes of the May 17, 2010 meeting as amended.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 150: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 11 for 2010, dated June 7, 2010 covering Vouchers # 407 - 460 for \$ 34,850.04:

General Town Wide	15,091.76	Special Refuse	1,230.10
General Part Town	1,407.20	Water District # 1	123.17
Highway Fund	14,924.95	Water District # 3	351.10
Special Lighting Fund	1,721.76	Grand Total	\$ 34,850.04

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Public Access

Margaret Degenfelder asked when the water in Seneca Heights would be fixed.

Reports

Highway Superintendent Jensen reported new tires were purchased for the mowing tractor, all mowing was done in three days and the Collins Park had a number of wash-outs. The road in the transfer station was widened; and a lot of mattresses were brought in the last trash day.

Town Clerk Summers reported \$4,214.75 in sales and \$3,740.33 the town's portion and the tax roll will be turned over to Erie County June 30th and will not accept any tax payments after that date.

Water Commissioners

Board Reports

Councilman Gaylord reviewed the vouchers.

Councilman Butzer did some research on the census and asks if residents have not submitted the application to please do so to make sure the town population is correctly listed.

Councilwoman Clark reviewed the vouchers and attended the last recreation commission meeting. The

commission came up with of list of items they would like to see done in the Collins Park.

Old business

1. Elevator inspection price modification

RESOLUTION # 151: **ELEVATOR INSPECTION PRICE MODIFICATION**

On motion of Councilwoman Clark, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey

Nays

Resolved that the Supervisor sign the contract with R.A.O. Elevator Inspection of NY, Inc. to provide elevator inspection service consisting of one hydraulic elevator, two wheelchair lifts and two stair lifts, at a cost of \$ 275.00.

2. Computel Consultants had been hired to perform an audit of our cable franchise agreement. Time Warner Cable sent a package of information relating to the franchise fee payment made by Time Warner from August 2006 through December 2009. We currently receive a 3% franchise fee and not the maximum allowable fee of 5%. Supervisor Harvey will check if we ask for the 2% increase would it be passed on to the subscribers.

3. Resolution to appoint William Robertson to position of 2010 beautification worker

RESOLUTION # 152: **APPOINT 2010 BEAUTIFICATION WORKER**

On motion of Councilwoman Clark, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey

Nays

Resolved that William Robertson be appointed as beautification worker at a salary of \$ 9.30 per hour, for the 2010 season.

4. Resolution to authorize supervisor send letter of board support to Gowanda Area Revitalization Corp

RESOLUTION # 153: **LETTER OF SUPPORT**

On motion of Councilman Tessmer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey

Nays

Resolved that the Supervisor send a letter of board support to the Gowanda Area Revitalization Corp.

5. Flavia Circle

RESOLUTION # 154: **FLAVIA CIRCLE CONTRACT**

On motion of Councilman Gaylord, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey

Nays

Resolved that the Supervisor sign the contract with Wm. Schutt and Associates, PC put out to bid two different options for the completion of the Flavia Circle water line.

option 1. about 400 feet of 8 inch water line along Taylor Hollow Road and Flavia Lane

option 2. about 1,400 feet of 10 inch water line along Taylor Hollow Road from Richardson Road to Smithcrest Drive and connecting to Flavia Lane.

New business

1. Monthly Supervisor report – February and March

RESOLUTION # 155: **SUPERVISOR'S MONTHLY REPORT**

On motion of Councilman Gaylord, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey

Nays

Resolved that the Supervisor's Monthly report for February and March 2010 is approved as submitted.

2. Summer recreation appointments

RESOLUTION # 156: **SUMMER RECREATION PERSONNEL**

On motion of Supervisor Harvey, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey

Nays

Whereas, the Town of Collins sponsors recreational activities for its youth, and

Whereas, one of these activities is the Collins summer Recreation Program, and

Whereas, proper operation of this program requires the employment of two head counselors, on each at Collins and Collins Center, a craft coordinator to serve both sites, and several counselors at each site, and
Whereas, this program for 2010 runs from Tuesday, July 6 through Friday, August 13, and
Whereas, the Town of Collins Recreation Commission has interviewed and recommended appointments.
Now Therefore Be It Resolved that the following recommendations by the Recreation Commission be appointed to the Summer Recreation Program:

Head Counselors at \$9.80 per hour: Jamie Krajewski – Collins, Jaimie Morris – Collins Center

Craft Coordinator at \$1,235.00 annually: Amanda Zittel

Counselors at \$9.30 per hour: David, Butzer, Samantha D'Amato, Erik Darling, Sean Mammoser, Kimberly Moesch, Christian Peglowski, Hayley Ploetz, Jane Robertson, Jamie Wallschlaeger and Miranda Zittel.

3. Award contract of lawn mowing of distressed properties – Bob Timmel stated many towns add an administrative fee to the amount put to the tax roll. Supervisor Harvey will look into it.

RESOLUTION # 157: **AWARD CONTRACT – DELINQUENT PROPERTY LAWN MOWING**

On motion of Supervisor Harvey, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey
Nays

Whereas, the Collins Town Board advertised for bids to mow delinquent properties in the Town of Collins for the year 2010, and

Whereas, the town received one bid for the lawn mowing service, and

Whereas, Disaster Relief Inc., 3515 Brown Street, Collins, NY was the only responsible bidder and provided a certificate of insurance.

Now, Therefore Be It Resolved, that the Collins Town Board hereby awards lawn mowing service of delinquent properties in the Town of Collins for the 2010 season to Disaster Relief Inc. at a rate of \$ 32.00 per hour subject to the Code Enforcement Officers direction.

4. Appoint Kenneth Martin chairman of Zoning Board of Appeals

RESOLUTION # 158: **APPOINT CHAIRMAN OF ZONING BOARD OF APPEALS**

On motion of Councilman Gaylord, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes Gaylord, Butzer, Clark, Tessmer, Harvey
Nays

Resolved that Kenneth Martin be appointed Chairman of the Zoning Board of Appeals.

5. Resolution on volunteers

RESOLUTION # 159: **VOLUNTEER INSURANCE REQUIREMENTS**

On motion of Councilman Butzer, seconded by Councilwoman Clark, the following resolution was

DEFEATED Ayes 0
Nays 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Whereas, small municipalities, including the Town of Collins, have greatly benefited from local volunteers and institutions, and

Whereas, several municipalities have suffered from volunteer-related worker compensation claims and associated lawsuits, and

Whereas, the Town's representative from NYMIR has given advice on protection from insurance claims and lawsuits that can arise from the use of prison laborers, volunteers offering non technical services and labor, and those volunteers offering services which allow access to sensitive and/or critical data and/or the computer hardware equipment which houses such data.

Now Therefore Be It Resolved, the Town of Collins requires board approval of the use of any volunteers or prison labor in any Town function, with a brief description of work to be done, and

Be It Further Resolved, volunteers offering services which allow access to sensitive and/or critical data or the computer hardware equipment which houses such data are required to carry errors and omissions insurance naming the Town of Collins as an additional insured in an amount not to be less than \$1,000,00.

New Topics – Discussion and Comments

1. Sole appointed assessor – The State is pushing all towns to go to an appointed assessor. A letter was received from Robert Peglowski, Chairman of Assessors that they are open to the assessor appointment. A

packet will be left for the board to read on making this change via a local law that would have to be done soon.

2. Resolution to oppose Agriculture & Markets proposed changes in Governors Budget

RESOLUTION # 160: **MICROCHIPPING AND OBEDIENCE TRAINING OF DOGS**

Motion made by Councilman Tessmer, seconded by Councilman Gaylord that the following was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

WHEREAS, the New York State Department of Agriculture & Markets has proposed in the Governors Budget to remove the licensing of dogs from the State control and turning it over to all local municipalities in New York State; and

WHEREAS, under Senate Bill S.2211 and Assembly Bill A.10330 the legislatures have proposed a requirement that all dogs must be microchipped and a registry of dogs be created, which the Town of Collins believes creates an undue burden on dog owners which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions; and

WHEREAS, the Senate has also introduced under Bill S.2219 a law requiring all dogs and their owners to successfully complete basic obedience training prior to being granted a dog license, which the Town of Collins also believes creates an undue burden on dog owners which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town of Collins opposes Senate Bill S.2211 requiring all dogs in NYS to be microchipped and a registry of dogs to be created and Bill S.2219 requiring all dogs and their owners to successfully complete basic obedience training prior to being granted a dog license, which will create an undue burden on dog owners, which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions.
2. The Town of Collins opposes Assembly Bill A.10330 requiring all dogs in NYS to be microchipped and a registry of dogs to be created, which will create an undue burden on dog owners, which may result in fewer licensed dogs and creates an undue burden on local municipalities to regulate and enforce compliance of these provisions.
3. The Town Clerk is hereby ordered to send a certified copy of this resolution to the town's local Senate and Assembly representatives and to Governor David Patterson.
4. This resolution shall take effect immediately.

3. Town hall dedication committee consists of Councilwoman Clark and Councilman Tessmer.

4. Town recyclable technology equipment

Councilwoman Clark asked about the security cameras. Grant monies will be researched for this.

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Tessmer, the meeting was adjourned at 9:27 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 21st day of June 2010.

Present: Merle Harvey, Supervisor David Tessmer, Councilman
 Mary Clark, Councilwoman Becky Jo Summers, Town Clerk
 Robert Gaylord, Councilman James Musacchio, Attorney

Absent: Alan Butzer, Councilman

Others Present: Dennis Jensen Highway Superintendent; Dick Agle Planning Board; Ron Franze Chairman, RW Moppert Water Commissioners; Lois Johnson; Margaret Degenfelder; Diane Barrett; Christine Ambrose; Sylvia Gabel; Barbara and David Duncan; Sue and Ray Baker; Sandra North; Krissy Smith; Rebecca and Joe Leith; Richard Westlund, reporter Gowanda Penny Saver News and Matt Parloff, reporter Observer

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

RESOLUTION # 161: APPROVAL OF AGENDA

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to approve the agenda as presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 162: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Supervisor Harvey, to approve the minutes of the June 7, 2010 meeting as amended.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 163: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, that the bills be paid on abstract # 12 for 2010, dated June 21, 2010 covering Vouchers # 461 - 488 for \$ 30,645.71:

General Town Wide	11,228.35	Special Refuse	146.23
General Part Town	2,354.36	Water District # 1	6,057.61
Highway Fund	9,836.38	Water District # 3	<u>773.20</u>
Collins Fire District	249.58	Grand Total	\$ 30,645.71

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

Board Reports

Councilman Gaylord met with the highway superintendent regarding the library parking lot, spoke with Mark Burr regarding the Sand Hill Cemetery survey and reviewed the vouchers.

Councilman Tessmer met with the highway superintendent regarding procedure of bulk water sales, spoke with some companies that recycle electronics and made a handout of places that will take some recyclable electronics.

Councilwoman Clark reviewed the vouchers and has a meeting set up with Paul Bowers.

RESOLUTION # 164: PREPAY TWO BILLS

On motion of Councilman Tessmer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Nays 0

Resolved that the Board approve prepayment of the following two bills:

NYS Insurance Fund	monthly payment for policy 7/1/10 – 7/1/11	\$ 5,739.25
HSBC	Norton antivirus renewal – clerk's computer	48.93

Old business

1. Care of distressed properties – a number of towns charge an administrative fee to the owner of record for property clean-up.

RESOLUTION # 165: ADMINISTRATION FEE CHARGED ON PROPERTY CLEAN-UP

On motion of Councilwoman Clark, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Resolved that a 40% administrative fee be added to all bills received from contractors for property cleanup. Once the property has been identified by the Code Enforcement Officers, they will contact the contractor.

Public Hearing – proposed Local Law No. 1 of 2010 – which would regulate the stopping, standing, or parking of vehicles on town owned property.

RESOLUTION # 166: MOVE TO SCHEDULED PUBLIC HEARING

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to interrupt this meeting to hold a Public Hearing advertised and scheduled for this evening at 7:30 PM.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

The public hearing was declared open and Attorney Musacchio read the notice of public hearing and the proposed local law.

Comments were asked for from the floor:

Joseph Leith – opposed – have people here a lot, families visit, feel have a right to park there. Will have a wedding at house soon and wants people to park in the lot.

Margie McIntire – opposed -

Krissy Smith -for – works with neighbors on parking when have gatherings as does not have a town lot near them to park.

Carol Leonard – opposed – never has been a problem before, have no place to park when have there is a party.

Christine Ambrose – for – lack of respect of parking all night, cars in and out, curfew was done in 2002.

Sylvia Gabel – opposed – have a one-car driveway, kids need a place to park when they come to visit.

Lois Johnson – can see both sides; will need guidelines especially if a 'problem party keeps asking to use lot.

Dennis Jensen – problems arise in winter if cars are parked on road.

Sandra North asked if it would be ok to park during day hours and then leave car overnight it not able to drive home.

Sue Baker – if there is a problem any place in town call the police.

Rebecca Leith – opposed - nothing has happened and there would be no need for change.

With no more comments, the hearing was declared closed at 8:03 PM and the regular meeting was reconvened.

Old Business**2. Summer recreation coordinator****RESOLUTION # 167: APPOINT SUMMER RECREATION COORDINATOR**

On motion of Councilman Gaylord, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Resolved that Jeff Johnson be appointed summer recreation coordinator for the 2010 season.

3. Compensation for craft coordinator – table until next meeting

4. Sole appointed assessor – To go to an appointed assessor, a local law would have to be passed. Attorney Musacchio will research this and draft a proposed local law.

5. put cleaning out to bid**RESOLUTION # 168: ADVERTISE FOR CLEANING BIDS**

On motion of Councilwoman Clark, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Resolved that the cleaning contract for the town hall and the LK Painter Community Center be put out to bid. The ad is to run for one week, bids due July 9th and put in the Gowanda, Springville and Hamburg issues of the Penny Saver.

6. Assistant disaster coordinator

RESOLUTION # 169: **ADVERTISE FOR AN ASSISTANT DISASTER COORDINATOR**

On motion of Councilman Gaylord, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Resolved that an ad be placed in the Gowanda and Springville Penny Savers for an assistant disaster coordinator from the Town of Collins. A letter of intent with qualifications for the volunteer position is to be received by July 16th.

New Business

1. Summer Recreation fees – A resolution was received from the recreation commission charging residents \$10.00 (including \$6.00 for a t-shirt) and out-of-town participants \$3.00 a day; \$50.00 for the entire program with a reduced amount for additional participants with a family cap. Supervisor Harvey reported if we charge residents for the program we will lose \$822.00 in state aid and have to charge sales tax on the t-shirts. (We will have to charge sales tax on the pop and candy.)

RESOLUTION # 170: **SUMMER RECREATION FEES**

On motion of Councilwoman Clark, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Whereas, the Town of Collins sponsors a Summer Recreation program each summer, and

Whereas, this program provides many varied activities for the youth of the Town, and

Now Therefore Be It Resolved that the town residents will pay \$20.00 per participant which includes a t-shirt to be worn on all off-site trips.

Be It Further Resolved that Town residents may bring out of town guests to recreation at \$5.00 per day with a limit of ten days.

2. Purchase flags

RESOLUTION # 171: **PURCHASE FLAGS**

On motion of Councilman Gaylord, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Resolved that an American Flag and a MIA flag be purchased

3. Workplace violence – The committee appointed last year served until December 31, 2009. The committee this year will comprise of Supervisor Harvey and Councilwoman Clark.

4. Southtowns Recreation Consortium – A Memorandum of Understanding for the creation of The Southtowns Recreation consortium was received from the Town of Hamburg for the public use of the Hamburg Golf Course. The guest communities would include the Towns of: Orchard Park, Eden, Evans, Brant, Boston, North Collins, Colden and Collins. All expenses and losses would be shared by all on a pro rata basis. The Board is opposed to joining the group.

5. Resolution in support of state procurement – the Association of Towns has partnered with NYCOM, NYSAC and NYSBA to encourage Governor Paterson and the OGS to allow local governments to purchase through national buying cooperatives in a concept known as piggybacking. Currently

RESOLUTION # 172: **LETTER OF SUPPORT**

On motion of Councilman Gaylord, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey

Nays 0

Resolved that the town send a letter of support of this state procurement program to Governor Paterson.

New Topics – Discussion and Comments

1. FIOS – There was an article in the Buffalo News stating Verizon is not extending service out of the area they already have.

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 9:22 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 6th day of July 2010.

Present: Merle Harvey, Supervisor
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 Alan Butzer, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Pete Waterman Deputy Highway Superintendent; RW Moppert Water Commissioner; Lois Johnson; Margaret Degenfelder; Diane Barrett; Christine Ambrose and Richard Westlund, reporter
 Gowanda Penny Saver News

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

RESOLUTION # 173: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 174: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, to approve the minutes of the June 21, 2010 meeting as amended.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
 Abstained 1 Butzer
 Nays 0

RESOLUTION # 175: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, that the bills be paid on abstract # 13 for 2010, dated July 6, 2010 covering Vouchers # 489 - 544 for \$ 47,353.36:

General Town Wide	20,633.66	Water District # 1	5,774.59
General Part Town	1,428.86	Water District # 3	520.02
Highway Fund	15,317.82	Water District # 4	<u>2,540.91</u>
Special Lighting Fund #1	814.69	Grand Total	\$ 47,353.36
Special Refuse	322.81		

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Reports

Attorney Musacchio reported on changing from elected assessors to a sole appointed assessor.

Code Enforcement officers submitted their June monthly report.

Highway Superintendent Jensen reported on road work being done and the condition of the south parking lot at the LK Painter Center. He has the stone to do the lot and the cost would be approximately \$1,800.00 for them to do the job. The concrete pad at the south entrance has been redone. The transfer station yard has some bad spots that need to be done.

Parks and Recreation Commission Chairman Scott Williams spoke about the fees and he doesn't want the out of town kids stopped from coming to the program as we have a good program. Last year approximately 120 kids attended costing the town about \$316.00 each. There were about 20 – 25 out of towners attending. The fee approved at the last meeting has not been collected from those attending. Scott will look into this.

Town Clerk Summers reported \$ 5,254.50 in sales and the town's portion \$4,794.62.

Water department report was submitted.

Board Reports

Councilman Gaylord reviewed the vouchers; met with highway superintendent and paving contractors on the library parking lot; started gathering information on security system and attended library board meeting.

Councilman Butzer is looking into the investment policy; spoke with the county highway department regarding speed on West Becker Rd and is researching the insurance buy-out.

Councilman Tessmer and Councilwoman Clark are working on a town hall dedication ceremony. Councilwoman Clark reviewed the vouchers and attended the recreation meeting. Supervisor Harvey has done some research on extending the upper Erie Avenue water district and the best thing to do is put it on hold. Of the 18 /19 properties there is no incentive for them to do anything. Mr. Harvey has two people he is talking to about being the town's IT person.

RESOLUTION # 176: PREPAY BILL

On motion of Councilman Gaylord, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the board approve pre-paying \$2,365.00 to New York State for Unemployment.

Old Business

1. Set public hearing for Local Law No. 2 of 2010

RESOLUTION # 177: SET PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 2

On motion of Councilman Tessmer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that a public hearing be set on July 19, 2010 at 7:30 pm on proposed Local Law No. 2 of 2010 for the establishment of a Sole Appointed Assessor for the Town of Collins.

2. Change craft coordinator from annual salary to hourly

RESOLUTION # 178: CHANGE CRAFT COORDINATOR SALARY

On motion of Councilwoman Clark, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved to change the craft coordinator from an annual salary of \$1,235.00 to \$9.80 per hour

3. Proposed local law on parking in town – Numerous residents spoke to board members with most being opposed to the law. The infractions this law is trying to prevent are covered by other laws. Some other towns have parking laws with problems of enforcement. Maybe we should re-do the law to cover more and both sides of the issue. This proposed law does not address daytime parking.

There are zoning regulations for parking of tractor trailers in the area. The state police will be contacted regarding enforcement.

RESOLUTION # 179: ENACTMENT OF PROPOSED LOCAL LAW NO. 1

On motion of Councilman Butzer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 3 Butzer, Clark, Tessmer
Nays 2 Gaylord, Harvey

Resolved that the Town of Collins does not adopt proposed Local Law No. 1 of 2010 that would regulate the stopping, standing, or parking of vehicles on town owned property.

4. Proposal for water pump house handed out for board members to look at for the next meeting.

5. Resolution needed to accept 2009 auditor's report

RESOLUTION # 180: ACCEPT AUDITORS 2009 REPORT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the town board accept the audit report for year ending December 31, 2009 prepared by Freed Maxick & Battaglia, PC.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
Nays

New Business

1. Library parking lot bids - three bids were received, two timely and one late, all different format. Councilman Gaylord will do a bid sheet and send to the bidders.

2. Appoint Mark Mangano to part time park department position

RESOLUTION # 181: APPOINT PART TIME PARK DEPARTMENT WORKER

On motion of Councilman Tessmer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Resolved that the board appoint Mark Mangano to the part time park department position at \$11.00 per hour retroactive to his start date.

3. Authorization needed to sign service contract with Buffalo time Clock

RESOLUTION # 182: **RENEW TIME CLOCK SERVICE CONTRACT**

On motion of Councilman Tessmer, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Resolved that the board renew the Buffalo Time Clock service contract for \$800.00 and authorize the supervisor to sign the contract.

4. Accept supervisors April and May reports

RESOLUTION # 183: **ACCEPT SUPERVISOR'S APRIL AND MAY REPORTS**

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, that the town board accepts the Town Supervisors Report for April and May 2010.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey

Nays

5. Resolution needed to set standard workday hours

RESOLUTION # 184: **SET STANDARD WORK DAY**

On motion of Councilman Tessmer, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

BE IT RESOLVED, that the Town of Collins hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

All Elected Officials

Supervisor

Council Person

Assessors

Five day work week, six hour day.

Town Clerk

Five day work week, seven hour day.

Superintendent of Highways

Five day work week, eight hour day

Appointed Officials

Members of:

Planning Board

Zoning Board of Appeals

Dog Control Officer

Five day work week, six hour day.

6. Letter from Wm Schutt

RESOLUTION # 185: **APPROVE CONTRACT**

On motion of Councilwoman Clark, seconded by Councilman Butzer, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Resolved the town board accept the contract from Wm. Schutt Associates, PC on Phase 3 of the Collins Park Expansion and authorize the supervisor sign the contract.

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Butzer, the meeting was adjourned at 9:58 PM. Carried unanimously.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 19th day of July 2010.

Present: Merle Harvey, Supervisor
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 Alan Butzer, Councilman
 David Tessmer, Councilman arrived 8:22 pm
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Ron Franze, Chrmn, RW Moppert Water Commissioner; Robert Peglowski, Sal Dicembre Assessors; Lois Johnson; Margaret Degenfelder; Kenneth Martin; Dick Agle; Christine Ambrose; Richard Westlund, reporter Gowanda Penny Saver News and Matt Parloff, reporter Observer

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

RESOLUTION # 186: APPROVAL OF AGENDA

Motion by Councilman Gaylord seconded by Councilwoman Clark, to approve the agenda as amended.

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Harvey
 Nays 0

RESOLUTION # 187: APPROVAL OF MINUTES

Motion made by Supervisor Harvey, seconded by Councilwoman Clark, to approve the minutes of the Tuesday, July 6, 2010 meeting as amended.

ADOPTED Ayes 4 Gaylord, Clark, Butzer, Harvey
 Nays 0

RESOLUTION # 188: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 14 for 2010, dated July 19, 2010 covering Vouchers # 545 - 573 for \$ 104,512.51:

General Town Wide	2,049.63	Water District # 1	1,380.39
General Part Town	1,907.70	Water District # 3	326.10
Highway Fund	96,185.18	Water District # 4	11.45
Special Refuse	2,652.06	Grand Total	\$104,512.51

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Harvey
 Nays 0

Public Access

Christine Ambrose would like more people to come to board meetings to see what is going on in town.
 Justice Norm Peters would like an executive session to discuss an employment matter.

Board Reports

Councilman Gaylord reviewed the vouchers; worked on bids for redoing the library parking lot and attended the recreation meeting last week.

Councilman Butzer is researching interest rates; spoke with Anne Cooper regarding the insurance buy-out and came across a law where out of district water sales revenues can be used in another water district.

RESOLUTION # 189: MOVE TO SCHEDULED PUBLIC HEARING

On motion of Councilman Gaylord, seconded by Councilman Butzer, the following resolution was

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Harvey
 Nays 0

Resolved that this meeting be interrupted to hold a Public Hearing advertised and scheduled for this evening at 7:30 pm

Public Hearing – Local Law # 2 – 2010 – Establish Office of Single Appointed Assessor

Following distribution of the proposed Local Law to the town Board members in July 2010, Notice of said Public Hearing was duly published in The Observer on July 8, 2010m with same being posted at the Town Hall.

Attorney Musacchio read Notice of Hearing for the record and the local law.

A local law to establish the office of single appointed assessor pursuant to Real Property Tax Law, §328.
Be it enacted by the town board of the Town of Collins as follows:

Section I. Title:

A local law to establish the office of single appointed assessor pursuant to Real Property Tax Law, §328.

Section II. Authority:

This local law is adopted pursuant to Real Property Tax Law, §328

Section III. Intent:

It is the intent of this local law to abolish the board of three elected assessors in the Town of Collins and to substitute therefore a single appointed assessor to be appointed pursuant to Real Property Tax Law, §310.

Section IV. Abolition of the Offices of the Board of Three Elected Assessors.

The offices of the three elected assessors as previously established and continued by the Town of Collins are hereby abolished. The terms of office of the board of three elected assessors shall terminate on December thirty-first of the year in which this local law shall take effect.

In the place and stead of the board of three elected assessors, the Town of Collins shall have one (1) single assessor to be appointed by the town board of the Town of Collins.

Section V. Inconsistency:

All other local laws and ordinances of the Town of Collins that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section VI. Savings Clause:

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII Referendum

No Referendum

Pursuant to Chapter 521 of the Laws of 2006, this local law shall **not** be subject to a referendum.

Section VIII Effective Date:

This local law shall take effect December 31, 2010.

A representative from the Office of Real Property Services (ORPS) contacted the town regarding one assessor not being in compliance and will be removed from office by the state. Mr. Harvey spoke with the two remaining assessors of changing the office to appointed assessor as suggested by ORPS. Both thought it is a good idea as this would give time to change over from elected to appointed.

Robert Peglowski, Assessor stated out of 25 towns in Erie County, only four have elected assessors.

Supervisor Harvey asked for comments from the floor.

1. David Latona has been battling his assessment over one year and there is no control over three elected people and is in favor of changing.
2. A resident wants it to stay elected.
3. Ken Martin asked how the terms would play out and what is the term of appointed assessors.
4. Dick Agle asked if we can have one elected assessor and did Mr. Peglowski think this is the time to change
5. Alan Butzer asks what would the cost be to the town and wants to research it.
6. Rob Gaylord has concerns about the quality of work and wants a comparative analysis of how other towns handle the work/cost.

With all persons desiring to be heard, Supervisor Harvey closed the hearing at 8:05 pm.

RESOLUTION # 190: **TABLE ADOPTION OF LOCAL LAW NO. 2 – 2010**

On motion of Supervisor Harvey, seconded by Councilwoman Clark, that the adoption of proposed Local Law No. 2 - 2010 be tabled until August 16th.

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Harvey
Nays 0

Councilman Tessmer arrived at 8:22 pm.

Board Reports, (continued)

Councilman Butzer attended the Helmuth Advisory Board meeting.

Councilwoman Clark reviewed the vouchers, met with the recreation commission and is working on the dedication ceremony.

Councilman Tessmer is working on the dedication ceremony.

Supervisor Harvey reported the John Mills library hot dog roast was successful.

Old Business

1. Setting standard workday for all town employees

RESOLUTION # 191: **SET STANDARD WORK DAY**

On motion of Councilwoman Clark, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the board establish a standard workday for all town employees at six hours per day for crediting in the New York State Retirement System.

2. Proposal for pump house

RESOLUTION # 192: **PROPOSAL FOR WATER DISTRICT NO. 1 PUMP HOUSE**

On motion of Councilman Gaylord, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the board approve the proposal to perform professional services is water district # 1 for design, bidding and construction of the Well and Pump House Flood Protection Project and authorize the supervisor to sign the proposal.

3. Library parking lot bids – have two bids (one chose not to resubmit). Budget lines are very tight this year. We do not want to loose any investment in the lot so wait until October and see how the budget stands. We have projects that need to be done but we have to look at the whole budget. Councilman Tessmer asked Superintendent Jensen to list all town lots and their condition.

4. Employee handbook – A number of workers have punched in late. Punch in and out times need to be re-clarified. (Board is to read over and share comments with supervisor over next two weeks.)

5. Recreation fees – Councilman Butzer worked with Scott Williams, Chairman Recreation Commission on the out-of-towner attendees. Now there are three and in the past it has been as high as eight. This year there are between 80 and 115 attending. All bus trips are to be budget neutral (no cost to the town). Supervisor Harvey asks Councilwoman Clark, Susan Gamel, Budget Officer, Jeff Johnson and Scott Williams to meet and get a good accountable balance. There are a few events that limit the age of participants.

RESOLUTION # 193: **RECREATION FEES**

On motion of Councilman Butzer, seconded by Councilwoman Clark, the following resolution was

DEFEATED Ayes 2 Butzer, Clark
Nays 3 Gaylord, Tessmer, Harvey

Whereas, the town's recreation program has traditionally welcomed out of town residents in the past, and
Whereas, the town's Recreation Commission has recommended this practice continue with the provision that out of town residents pay \$50.00 per child per season for the privilege of attending the Collins recreation program, and

Whereas, the town has hosted at most eight out of town kids and at least three out of town kids in recent history, and

Whereas, the low out of town attendance has had no impact on staffing levels required.

Now Therefore Be It Resolved that out of town youth can continue to attend the 2010 Collins recreation program at a cost of \$50.00 per child, effective immediately.

6. Cleaner for L K Painter Community Center and Town Hall – There is enough money in two budget lines to employ a part time caretaker for the both buildings at 20 hours per week for the rest of the year.

RESOLUTION # 194: AD FOR CARETAKER

On motion of Councilman Gaylord, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the board place an ad for a caretaker for the L K Painter Community Center and Town Hall for a maximum of 20 hours per week at \$ 10.00 per hour.

New Business

1. Appoint Barbara Ferro to Library Board of Trustees – term expire 12/31/2013

RESOLUTION # 195: APPOINT LIBRARY TRUSTEE

On motion of Councilman Gaylord, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the town board appoint Barbara Ferro to the vacant position on the Library Board of Trustees. Her term will expire December 31, 2013.

2. Approve expenses for dedication ceremony for town hall

RESOLUTION # 196: APPROVE DEDICATION CEREMONY EXPENSES

On motion of Councilman Tessmer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the town board approve expenses of the dedication ceremony for the town hall up to \$450.00

New Topics – discussion and Comments

1. IT information – need to know

RESOLUTION # 197: APPOINT IT PERSON

On motion of Councilman Gaylord, seconded by Supervisor Harvey, the following resolution was

DEFEATED Ayes 2 Gaylord, Harvey
Nays 3 Butzer, Tessmer, Clark

Resolved that the board appoint Mark Brown as designated IT person for the Town of Collins to do normal maintenance, repair breakdowns and do all requested of him at \$75.00 per hour and \$50.00 per hour travel; subject to proof of insurance. Supervisor Harvey is appointed as point person whereby all work is coordinated through him.

RESOLUTION # 198: EXECUTIVE SESSION

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, that this Board moves into an executive session at 9:03 PM to discuss the employment history of a particular employee.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 199: RETURN TO REGULAR SESSION

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, that the Board returns to regular session at 10:30 PM.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Tessmer, the meeting was adjourned at 10:30 PM. Carried unanimously.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 2nd day of August 2010.

Present: Merle Harvey, Supervisor
 Mary Clark, Councilwoman
 Robert Gaylord, Councilman
 Alan Butzer, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Erie County Legislator John Mills; Pete Waterman Deputy Highway Superintendent; David & Lois Johnson; Margaret Degenfelder; Dick Agle; Richard Westlund, reporter Gowanda Penny Saver News and Matt Parloff, reporter Observer

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

RESOLUTION # 200: APPROVAL OF AGENDA

Motion made by Councilman Gaylord seconded by Councilwoman Clark, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 201: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve the minutes of the July 19, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Clark, Butzer, Tessmer, Harvey
 Nays 0

RESOLUTION # 202: APPROVAL OF ABSTRACT

Motion made by Councilman Tessmer, seconded by Councilman Butzer, that the bills be paid on abstract # 15 for 2010, dated August 2, 2010 covering Vouchers # 574 - 610 for \$ 42,432.70:

General Town Wide	23,638.89	Special Refuse	1,645.35
General Part Town	5,053.40	Water District # 1	540.60
Highway Fund	10,590.72	Water District # 4	134.89
Special Lighting Fund #1	828.85	Grand Total	\$ 42,432.70

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Presentation – Erie County Legislator John Mills reported to the board that sales tax is down 2 ½ % over last year and the Erie County Executive ask all county departments for a 20% reduction. Becker Road, West Becker Road and Jennings Road in County District 5 is scheduled for oil and chipping this year. Mr. Mills reported on the Watershed Advisory Committee recently formed and discussed roadside mowing and if the Collins county barn would be reopened.

Reports of Department Heads and Consultants

Attorney Musacchio received a letter from Gowanda asking to split the cost of a plate reader. Supervisor Harvey called the Mayor and has not gotten a call back.

Code Enforcement Officers presented their monthly report.

Deputy Highway Superintendent Waterman reported all roads have been swept, the roadsides have been mowed again and the mechanic is working on equipment.

Town Clerk Summers reported sales of \$ 4,776.85 with the towns' portion \$ 4,413.98.

Board Reports

Councilman Gaylord contacted those vendors who submitted a bid for parking lot repairs and told them the project was on hold for now; met with the assessors for information; met with Mark Burr regarding the Sand Hill Cemetery and reviewed the vouchers.

Councilman Butzer spent time researching banks and wants a RFP (request for proposal) to go out to see if we can make more money. Supervisor Harvey stated the security and safety of our money comes first. Supervisor Harvey will work with Mr. Butzer to set up an RFP.

Councilman Tessmer contacted NEST regarding the town's bill; reported on an unwanted pharmaceutical

drop-off day August 7th; and thanked all that helped on the dedication ceremony.

Councilwoman Clark reviewed the vouchers; spoke with Paul Bowers, engineer regarding bidding of the next phase of the park expansion project.

Supervisor Harvey thanked Councilmembers Tessmer and Clark for putting together the dedication ceremony along with all who helped. Supervisor Harvey and Councilwoman Clark will go through the applications for caretaker on Wednesday or Thursday.

Old Business

1. IT person

RESOLUTION # 203: **APPOINT IT PERSON**

On motion of Councilman Gaylord, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey

Nays 2 Butzer, Clark

Resolved that the board appoint Mark Brown as designated IT person for the Town of Collins to do normal maintenance, repair breakdowns and do all requested of him at \$75.00 per hour and \$50.00 per hour travel; subject to proof of insurance. Supervisor Harvey is appointed as point person whereby all work is coordinated through him.

2. Accept donation of pool table for recreation

RESOLUTION # 204: **ACCEPT DONATION OF POOL TABLE FOR RECREATION**

On motion of Councilman Butzer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Be It Resolved that the Town of Collins board accept the donation of a 8" pool table along with three sets of balls, racks, pool sticks and racks from Mr. & Mrs. Richard Miller of Collins for the town recreation program and that the town supervisor send a letter of acknowledgement and appreciation to Mr. & Mrs. Miller.

3. Highway gasoline pump and gas tank cleaning

RESOLUTION # 205: **AUTHORIZE FUEL PUMP REPLACEMENT**

On motion of Councilman Tessmer, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Whereas, the highway department needs to replace a fuel pump, and

Whereas, a quote was received from Griffith 760 Brooks Ave., Rochester, NY 14619-2293 for \$638.00 plus \$75.00 installation for a total of \$713.00, and

Whereas, the highway department requests the cost of the pump be split between the highway, water and parks departments.

Now, Therefore Be It Resolved that the town purchase a 110 volt Heavy Duty Transfer Pump Model FR701V at a cost of \$713.00 to be paid as follows: highway department 65% (\$ 463.45), water department 18% (\$ 128.34) and parks department 17% (\$ 121.21).

RESOLUTION # 206: **AUTHORIZE CLEANING OF STORAGE TANK**

On motion of Councilwoman Clark, seconded by Councilman Butzer, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Whereas, the highway department wants to have a 2,000 gallon above-ground gasoline storage tank cleaned, and

Whereas, requests were made to three businesses for quotes:

Russo Development, Inc. \$2,690.00

Op Tech Environmental 4,919.00

Sentinel Technologies 4,450.00

Now, Therefore Be It Resolved, that the town award the cleaning of the gasoline tank to Russo Development, Inc., 535 West Main Street, Springville, NY 14141 at an estimated cost of \$2,690.00 to be paid as follows: highway department 65% (\$ 1,748.50), water department 18% (\$ 484.20) and parks

department 17% (\$ 457.30).

4. L. K. Painter Community Center roof supplies to fix roof drain pipe – It will cost approximately \$900.00 in labor costs for the highway and parks department to do the work. A local plumber will be hired to fix the drain.

5. Web page for the town – Supervisor Harvey will donate the domain site to the town.

RESOLUTION # 207: AUTHORIZE CREATION OF TOWN WEB SITE

On motion of Councilman Gaylord, seconded by Supervisor Harvey, the following resolution was

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey

Nays 2 Butzer, Clark

Be It Resolved that the town board approves the creation and implementation of a town web page under the direction of Mark Brown and voluntary assistance of Diane Harvey not to exceed \$4,000.00.

New Business

1. Close out town hall renovation project

RESOLUTION # 208: CLOSE OUT TOWN RENOVATION PROJECT

On motion of Councilman Tessmer, seconded by Councilwoman Clark, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Whereas the town undertook an extensive renovation project to the town hall, and

Whereas all elements have been completed according to specification and approval of the board.

Now Therefore Be It Resolved that the town hall renovation project be closed.

New Topics – Discussion and Comments

1. Loan of skates from Gowanda Recreation Department for Collins Recreation

RESOLUTION # 209: AUTHORIZE AGREEMENT WITH GOWANDA TO BORROW SKATES

On motion of Councilwoman Clark, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

Resolved that Scott Williams, chairman of the Parks and Recreation Commission sign the agreement with Gowanda for rental of roller skates, at no charge, from the Gowanda Recreation Department for the Collins Recreation program. The Town of Collins would be responsible for the cost to replace any roller skates that are lost, stolen and/or damaged while in the possession of the town.

2. Request of Jeff Johnson for additional recreation programs – request is to be taken to recreation commission.

With no further business, on a motion of Councilman Gaylord, seconded by Supervisor Harvey, the meeting was adjourned at 9:43 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 16th day of August 2010.

Present: Merle Harvey, Supervisor Susan Gamel, Budget Officer
Robert Gaylord, Councilman Becky Jo Summers, Town Clerk
David Tessmer, Councilman James Musacchio, Attorney

Absent: Mary Clark, Councilwoman Alan Butzer, Councilman

Others Present: Ron Franze Chairman, R. W. Moppert Water Commissioners; Lois Johnson; Margaret Degenfelder; Paul Pruchnic; M. Andrew Burr; and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:08 PM with the pledge to the Flag. (A court proceeding was in session before the meeting.)

RESOLUTION # 210: APPROVAL OF AGENDA

Motion made by Councilman Tessmer seconded by Councilman Gaylord, to approve the agenda as presented.

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

RESOLUTION # 211: APPROVAL OF MINUTES

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to approve the minutes of the August 2, 2010 meeting as presented.

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

RESOLUTION # 212: APPROVAL OF BUDGET MODIFICATIONS

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the following budget modifications:

1. Sales Tax Revenue from 2009 (additional \$ 5,000.00)
Increase B Fund 2010 Budget Revenue line B1120 Non-property tax distribution
from \$190,000.00 to \$ 195,000.00
Increase B Fund 2010 Expenditure line B7110.220 – Parks – Improvement
from \$ 120,000.00 to \$ 125,000.00
2. SW1 Water District # 1 – Wm Schutt invoices (DOC – water supply) 2010 budget
Increase Revenue SW1-2142.111 other charges \$ 9,622.51
Increase Expenditure SW1-8310.411 Office Expense \$ 9,622.51

3. Town Clerk Archive Grant

Set line for Revenue A3289 – State Aid, Other Education at \$ 1,971.00
(reflects receipt of 2 checks \$1,095.00 and 876.00 = \$ 1,971.00)

Increase Expenditure lines:

A1410.400 Contractual	1,660.00
A1410.110 Employee Salary	261.00
A9030.800 Social Security	16.18
A9030.810 Medicare	3.78
A9010.800 Retirement	28.71
A9040.800 Worker Comp	<u>1.33</u>
	\$ 1,971.00

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

RESOLUTION # 213: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, that the bills be paid on abstract # 16 for 2010, dated August 16, 2010 covering Vouchers # 611 - 654 for \$ 42,454.54:

General Town Wide	4,103.45	Special Refuse	1,065.03
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General Part Town	1,292.62	Water District # 1	12,642.95
Highway Fund	4,451.92	Water District # 3	891.57
Special Lighting Fund #1	23.00	Water District # 4	10.00
Helmuth Fire Control	17,974.00	Grand Total	\$ 42,454.54
ADOPTED Ayes 3 Gaylord, Tessmer, Harvey			
Nays 0			

RESOLUTION # 214: APPROVE PREPAYMENT OF BILLS

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to authorize pre-payment of the following vouchers:

Darien Lake Theme Parks, 79 tickets @ \$19.37 for a total of 1,530.23 from B7310.401

Jeff Johnson, reimbursement for BJ's receipt for assorted candy and Gatorade for \$320.29 from B7310.401

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

Board Reports

Councilman Gaylord reviewed the vouchers and attended the recreation meeting last week.

Supervisor Harvey interviewed applicants for the caretaker position, reported the audit is ongoing and attended the Southtowns Development and Planning meeting.

Old Business

1. Sole Appointed Assessor – Supervisor Harvey called a number of towns regarding an assessing clerk; they work from four to seven hours per week with seven hours during the busy time of year. Towns of Colden, Concord and Ashford Hollow share an assessor and that person is retiring. Perrysburg has an appointed assessor. (Only four towns have elected assessors: Eden, Wales, Holland and Collins.)

RESOLUTION # 215: APPROVE LOCAL LAW # 2 OF 2010 – SOLE APPOINTED ASSESSOR

On motion of Councilman Gaylord, seconded by Councilman Tessmer, to wit:

Whereas, a public hearing was held July 19, 2010 to establish the office of single appointed assessor, and abolish the offices of the three elected assessors.

Now Therefore Be It Resolved the Town Board of the Town of Collins adopt Local Law # 2 as written.

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

A local law to establish the office of single appointed assessor pursuant to Real Property Tax Law, §328.

Be it enacted by the town board of the Town of Collins as follows:

Section I. Title:

A local law to establish the office of single appointed assessor pursuant to Real Property Tax Law, §328.

Section II. Authority:

This local law is adopted pursuant to Real Property Tax Law, §328

Section III. Intent:

It is the intent of this local law to abolish the board of three elected assessors in the Town of Collins and to substitute therefore a single appointed assessor to be appointed pursuant to Real Property Tax Law, §310.

Section IV. Abolition of the Offices of the Board of Three Elected Assessors.

The offices of the three elected assessors as previously established and continued by the Town of Collins are hereby abolished. The terms of office of the board of three elected assessors shall terminate on December thirty-first of the year in which this local law shall take effect.

In the place and stead of the board of three elected assessors, the Town of Collins shall have one (1) single assessor to be appointed by the town board of the Town of Collins.

Section V. Inconsistency:

All other local laws and ordinances of the Town of Collins that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such

inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section VI. Savings Clause:

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section VII Referendum

No Referendum

Pursuant to Chapter 521 of the Laws of 2006, this local law shall **not** be subject to a referendum.

Section VIII Effective Date:

This local law shall take effect December 31, 2010.

2. Sand Hill Cemetery – Supervisor Harvey met with Andy and Mark Burr from the First Presbyterian Church last week. The hand-out was gone through. It was thought the church abandoned the cemetery years ago but no record could be found. The church receives \$2,200.00 from Lamar Companies for the billboards. (Ten year contract was negotiated in 2007.) The church proposes the town takes care of the cemetery and they want to receive money for the loss of income. Councilman Tessmer asks if the church will make a fair proposal and present it to the town and the town will look into cost of maintaining the cemetery.

Attorney Musacchio left at 8:12 pm.

New Business

1. Appoint caretaker for L. K. Painter Community Center and town hall

RESOLUTION # 216: **APPOINT CARETAKER FOR TOWN HALL AND L. K. PAINTER COMMUNITY CENTER**

On motion of Councilman Tessmer, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey

Whereas, an ad was placed for a caretaker for the L. K. Painter Community Center and Town Hall for a maximum of 20 hours per week at \$ 10.00 per hour.

Now Therefore Be It Resolved the town board appoints Larry Kosinski to the position of caretaker for the L. K. Painter Community Center and Town Hall for a maximum of 20 hours per week at \$ 10.00 per hour effective Monday, August 23, 2010.

2. Library - letter to BECPL regarding automatic door opener

RESOLUTION # 217: **APPROVE LETTER FOR LIBRARY**

On motion of Councilman Tessmer, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey

Nays 0

Whereas, the Collins Public Library submitting an application for funding of an automatic door opener.

Whereas, the Collins Public Library, located at 2341 Main Street is housed in a building owned and maintained by the Town of Collins, and

Whereas, under an agreement with the Buffalo and Erie County Public Library System (BECPLS), the Town provides all maintenance of the building and surrounding grounds, while the BECPLS provides for the operation of the facility.

Now Therefore Be It Resolved That:

- ☐ This building will be legally available to the Town of Collins Public Library for ten years from the date of project completion;
- ☐ The Town is aware of and supports the proposed project which includes the installation of a single automatic door opener;
- ☐ The Town of Collins has the legal authority to approve the improvement of the space; and
- ☐ The 5,000 square-foot building has been and will continue to be open to the public.

Be It Further Resolved that the town board authorizes the supervisor to sign the letter submitted.

3. Resolution to support horizontal drilling in the Marcellus Shale formation – no interest

4. Accept Supervisor's June and July monthly reports

RESOLUTION # 218: ACCEPT SUPERVISORS MONTHLY REPORT

On motion of Councilman Gaylord, seconded by Councilman Tessmer, the following resolution was

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

Resolved that the Supervisor's Monthly report for June and July 2010 is accepted as submitted.

5. Resolution accepting engineers schedule for receiving bids/quotes

RESOLUTION # 219: ACCEPT ENGINEER'S SCHEDULE FOR BIDS/QUOTES

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the following schedule for receiving bids/quotes for the corresponding projects:

1. Collins Town Park Phase 3 – Contract 1 - Ball Diamond Fencing: Solicitations for quotations for the ball diamond fencing went out in the mail on August 6th to 20 companies that furnish and install chain link fence. Responses are due back to the Town Clerk's office by August 20th. No action is needed at this time.
2. Collins Town Park Phase 3 – Contract 2 – Asphalt Paving of Walkway: Please set a bid date for 3:00 PM on September 16th. Advertisement will be this week, the week of August 16th.
3. Collins Town Park Phase 3 – Contract 3 – Park Shelter, Benches, Trees and Ball Field Dugouts. Note that dugouts will be an alternate bid item. Please set a bid date for 3:00 PM on September 23rd. Advertisement will be the week of August 23rd.
4. Flavia Lane Waterline Loop – Collins WD #1 – Base bid will be for 1,440 LF of waterline with an alternate bid item for 440 LF of waterline. Please set a bid date for 3:30 PM on September 23rd. Advertisement will be the week of August 23rd.
5. Wellhead/Pump House Flood Protection – Collins WD # 1 – Please set a bid date for 3:00 PM on September 30th. Advertisement will be the week of August 30th.

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 0

New Topics – Discussion and Comments

1. Census – prison – sales tax - The state wants inmates counted where they lived before their incarceration. This would reduce the amount of sales tax the town receives.

2. Information regarding the elimination of the State's role in dog licensing was handed out to board members to look over.

Supervisor Harvey received an email from Councilwoman Clark regarding:

1. fall baseball and winter basketball programs that Jeff Johnson will coordinate and fees will be charged to offset any costs
2. approve volunteers to paint the LK Painter gym
3. obtaining a BJ's card for the town; one card for recreation and one for the bookkeeper and signing of two others if needed
4. placing ad for fall recreation program

Benefit of another card not seen, up the limit on card presently have, vouchers are to be done on time and a list of volunteers would be needed. Supervisor Harvey will contact Scott Williams.

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey, the meeting was adjourned at 8:50 PM. Carried unanimously.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 7th day of September 2010.

Present: Merle Harvey, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilwoman
 Alan Butzer, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Rich Pecnik; Tom & Pat Robinson; Martin & Nancy Reid; John Nietecski; Chester & Shirley Grudzien; Dick Agle; Paula Steffan; Robert Reid; Andrew Barr; James Smith; Becky Grudzien; Ron Franze Chairman, R. W. Moppert Water Commissioners; Lois Johnson; Margaret Degenfelder; and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order in memory of Paul Carlson and Michael Grimm at 7:00 PM with the pledge to the Flag.

RESOLUTION # 220: APPROVAL OF AGENDA

Motion made by Councilman Tessmer seconded by Councilwoman Clark, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 221: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve the minutes of the August 16, 2010 meeting as presented.

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
 Nays 0
 Abstained 2 Butzer, Clark

RESOLUTION # 222: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 17 for 2010, dated September 7, 2010 covering Vouchers # 655 - 698 for \$ 24,279.72:

General Town Wide	17,661.65	Special Refuse	32.78
General Part Town	2,891.75	Water District # 1	1,884.38
Highway Fund	815.10	Water District # 3	121.05
Special Lighting Fund #1	873.01	Grand Total	\$ 24,279.72

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Public Access

A number of residents of Vail and Gowanda Zoar Roads questioned the board about rumors regarding the gravel pit. A request was put to DEC to narrow the right of way along Vail Road but nothing has been done. This is a long process with DEC and the town's planning board.

Reports

Attorney Musacchio reported there are two assessment cases in Supreme Court for Verizon and Springwood Village.

Code Enforcement Officers presented their monthly report and stated new code updates will be out the end of the year.

Highway Superintendent Jensen reported the fuel tank has been cleaned out; the fuel pump will be hooked up; the new truck will be completed by mid November; next week the LKP roof will be coated; has measured the parking lot and we need approximately 40 new flag poles. Matt Wurst has put the swings and garbage cans in the parks. 5 ½ loads of trash were hauled last trash day. Mr. Jensen spoke with the county and he can store equipment not being used this winter at the county barn. Our insurance agent was called and said there would be no problem.

Parks and Recreation Commission – Mrs. Clark would like to discuss the Gowanda Jets Cheerleaders using the gym at the LKP.

Water department as received prints on the Flavia Circle water project.

Board Reports

Councilman Gaylord met with the Buffalo and Erie County Library Board regarding the county cutbacks; put together information on the security system and reviewed the vouchers.

Councilman Butzer contacted the census bureau. The 2010 numbers could be released by the end of the year. Mr. Butzer attended the Helmuth Advisory meeting.

Councilman Tessmer reported he, Councilwoman Clark and Highway Superintendent Jensen meet approximately one every three weeks.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey asks the board to look over the PO17 county personnel form for recreation and water commissioners; reported the caretaker has started working in both buildings; spoke with a few banks and will work with Councilman Butzer on an RFP; has been working on water district # 3.

Old Business

1. Presbyterian Cemetery – The members of the Presbyterian Church wants to turn the cemetery over to the town and pay \$700.00 of the \$2,200.00 they receive from Lamar for the billboards on the property, per year for the next seven years.

2. Ad for winter recreation help

RESOLUTION # 223: APPROVE AD FOR WINTER RECREATION

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to place an ad in the Gowanda and Springville Penny Savers for winter recreation help.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

3. Erie County Snow Removal 2010 – 2013 Contract

Erie County authorized a three year snow removal agreement relating to the control of snow and ice on County roads. The agreement calls for a 5% increase per lane mile for each of the next three years:

September 1, 2010 thru August 31, 2011	\$3,077.67 per lane mile
September 1, 2011 thru August 31, 2012	\$3,231.55 per lane mile
September 1, 2012 thru August 31, 2013	\$3,393.13 per lane mile

RESOLUTION # 224: APPROVE ERIE COUNTY SNOW REMOVAL 2010 – 2013 CONTRACT

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the 2010 – 2013 snow plowing contract between the Town of Collins and the County of Erie and authorize the Supervisor to sign the contract upon review by the attorney for the town.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

4. Fall recreation program

RESOLUTION # 225: APPROVE FALL AND WINTER SPORTS PROGRAMS

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to authorize a fall recreation program of baseball and a winter program of basketball for six weeks each, at no budget impact to the town. This will be separate from the winter recreation program.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

5. Fence bids – the recreation is looking to bring tournaments to town in three to four years and a fence around the diamond is required. The park is supposed to be a multi-purpose field.

Four bids were received to put a fence around the baseball field:

Iroquois Fence	51 N America Dr, W Seneca	16,950.00
Active Fence Co	5295 Bayview Rd, Hamburg	14,990.00
City Fence Inc	3893 Walden Ave, Lancaster	18,960.00
Oneida Fence, Inc	5222 Transit Rd, Depew	16,990.00
Armor Fence Co of WNY Inc	PO Box 745, Orchard Park	17,374.00

RESOLUTION # 226: AWARD CONTRACT ON PARK FENCE BID

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to award the contract to install a fence around the baseball field to Active Fence Co., 5295 Bayview Rd, Hamburg in the amount of

\$14,990.00.

ADOPTED Ayes 3 Butzer, Clark, Tessmer,
 Nays 2 Gaylord, Harvey

RESOLUTION # 227: **AUTHORIZE USE OF LKP GYM**

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to Allow the Gowanda Jets Cheerleaders to use the LK Painter Community Center gym five days a week for 5 – 7 pm as long as it does not interfere with other events for three to four weeks with submission of a certificate of insurance.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

The community center will be re-keyed and all that need keys will have to sign them out from the town hall. Councilwoman Clark and Supervisor Harvey will work on fees for use of the LKP Community Center.

Councilman Gaylord asks to re-visit the library parking lot issue. Highway Superintendent Jensen is working on assessing all town parking area.

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 9:18 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 20th day of September 2010.

Present: Merle Harvey, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilwoman
 Alan Butzer, Councilman
 David Tessmer, Councilman
 Susan Gamel, Budget Officer
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dick Agle; Ron Franze Chairman Water Commissioners; Lois Johnson; Margaret Degenfelder; Laurie Dils; Richard Westlund, reporter Gowanda Penny Saver News and Matt Parloff, reporter Observer

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

RESOLUTION # 228: APPROVAL OF AGENDA

Motion made by Councilman Gaylord seconded by Councilman Butzer, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 229: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Supervisor Harvey, to approve the minutes of the Tuesday, September 7, 2010 meeting as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark Tessmer, Harvey
 Nays 0

RESOLUTION # 230: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 18 for 2010, dated September 20 2010 covering Vouchers # 699 - 738 for \$ 58,697.02:

General Town Wide	15,583.25	Water District # 1	22,283.82
General Part Town	5,026.40	Water District # 3	<u>758.30</u>
Highway Fund	11,689.14	Grand Total	\$ 58,697.02
Special Refuse	3,356.11		

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

RESOLUTION # 231: APPROVE BUDGET MODIFICATIONS

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the following budget modifications:

1. Change in supervision of Water Dept. and parks Dept from Town Supervisor to Highway Superintendent, therefore the salary of \$1,000.00 each, \$2,000.00 will follow:

Decrease 2010 Budget
 A1220.100 – Supervisor personal to \$16,000.00
 Increase
 A5010.100 – Transportation Admin to \$54,002.24

2. Historian Stipend – Historian will accept the \$150.00 stipend
 Fund A7510.100 – Historian personal services \$150.00
 Decrease A7620.100 – Senior citizens personal ser. \$150.00

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nays 0

Public Access - none

Board Reports

Councilman Gaylord reviewed the vouchers and attended the NEST meeting. Mr. Gaylord also attended the Buffalo & Erie County Public Library board meeting downtown regarding the cuts of Erie County budget.

Councilman Butzer will still work with Supervisor Harvey on the insurance RFP and would like to reopen discussion on the town's website as he knows someone who will do it for \$200.00 (same person that did Brant's website). Supervisor Harvey stated the contract is signed for the implementation of our website.

Councilman Tessmer attended a monthly highway meeting, is working with the highway superintendent on the budget and the parking lot inventory. Mr. Tessmer is also working on water district # 3 issues.

Councilwoman Clark met with the recreation commission, the highway superintendent and Mr. Tessmer and reviewed the vouchers.

Supervisor Harvey met with our Gowanda Ambulance Board representatives and we will receive a \$13,000.00 refund for this year and will not have to pay them anymore. Also, Mr. Harvey attended the Water Quality Commission meeting.

Old Business

1. Security cameras – Councilman Gaylord spoke with the Court Administration regarding cameras in the common areas outside the courtroom. There is a grant available with the application deadline of October 31, 2010 and Mr. Gaylord thinks a security assessment, which is required, was done in 2002.

Appointments are set up for Mr. Gaylord to meet with representatives of two alarm companies. Supervisor Harvey suggests putting cameras in LK Painter Community Center then the locks would not have to be re-keyed

2. Resolution acknowledging completion of audit to town justice records for 2009

RESOLUTION #232: ACCEPT TOWN JUSTICES 2009 AUDIT REPORT

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, that the town board adopts the following resolution:

Whereas, the N.Y.S. Unified Court System's "Action Plan" for the Justice Courts, announced November 2006, includes initiatives to improve accountability and controls over Justice Court finances and records, and

Whereas, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited, and

Whereas, the Collins Town Board has retained the firm Freed Maxick & Battaglia, PC to audit the towns financial records, including those of the two (2) town justices.

Now, Therefore Be It Resolved that the Collins Town Board acknowledges that the records of Town Justices Norman Peters and Daniel Kuligowski have been audited and that the Town Board hereby accepts the audit reports for the town justices for the year 2009, as prepared by Freed Maxick & Battaglia, PC.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

3. Review PO-17's - Supervisor Harvey would like the board to go over the forms for the recreation and water commissions and consider splitting the Parks and Recreation Commission into two entities; a Recreation Commission and a Parks Committee with one person being on both committees.

4. Presbyterian Cemetery – The lease money for the billboards would go to the owner of the property or the agreement could be made that the seller could keep money as in regards to mineral rights. It is the responsibility of the town to decide whether a cemetery is abandoned or not. Family cemeteries cannot be abandoned to towns but public cemeteries can be. Depending on what is done with this cemetery we could be approached by another cemetery of help. Supervisor Harvey will contact the representatives of the cemetery and tell them it is all or nothing.

5. Library parking lot – After discussion, for budgetary reasons, the board decided to just clean and fill the cracks and seal and strip the library parking lot at a cost of \$2,580.00. Councilman Gaylord will check with Olsen Sealing of Forestville and check that their bid will still be good.

RESOLUTION # 233: AUTHORIZE WORK BE DONE ON LIBRARY PARKING LOT

On a motion of Councilman Tessmer, seconded by Councilman Gaylord, the following resolution was

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Resolved that the Collins Town Board authorizes the cleaning and filling of cracks at \$340.00, the sealing at

\$1,650.00 and striping at \$590.00, for a total of \$2,580.00, of the library parking lot, upon the acceptance of Olsen Sealing of Forestville, NY.

New Business

1. Park walkway paving bids – four bids were received for the asphalt paving of the park walkway:

Greenauer Blacktop	72,267.00
Buffalo Creek Construction	92,453.00
Milherst Construction	57,650.00
H Olsen & Sons Construction	61,200.00

The board is holding off on awarding this contract pending further investigation into the census/sales tax figures.

2. Recreation scoreboard safety netting – money could be saved if this is purchased before the end of the month.

RESOLUTION #234 APPROVE PURCHASE OF SCOREBOARD AND SAFETY NETTING

On a motion of Councilwoman Clark, seconded by Councilman Butzer, the following resolution was

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Tessmer

Nays 1 Harvey

Resolved that the Collins Town Board allows the recreation department purchase a scoreboard and safety netting with the total not to exceed \$650.00.

3. Reappoint Kevin Ploetz, Assessment Board of Review, 5-year term 9/30/10 to 8/31/15

RESOLUTION # 235: APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

On a motion of Councilman Gaylord, seconded by _____, the following resolution

FAILED Ayes 0

Nays 0

Resolved that the Collins Town Board appoint Kevin Ploetz to the Board of Assessment Review for the five-year term October 1, 2010 to September 30, 2015.

This resolution failed for lack of a second to the motion.

4. Set public hearing on Community Development Block Grant Funds. Project Description Forms are due to Erie County Department of Environment and Planning by late October 2010.

RESOLUTION # 236: SET PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Motion made by Councilwoman Clark, seconded by Councilman Butzer, that the Town Board set a public hearing for the use of Federal Community Development Block Grant Funds in the Town of Collins on Monday, October 4, 2010 at 8:00 PM at the Collins Town Hall, 14093 Mill Street, Collins, NY 14034.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

New Topics – Discussion and Comments

1. 2011 Budget agenda – suggestions for dates of budget workshops

2. Sales tax – potential to receive less next year

3. Park expansion resolution – needs to be looked at due to increase in amount vouchered.

With no further business, on a motion of Councilman Tessmer, seconded by Councilman Gaylord, the meeting was adjourned at 9:10 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 29th day of September 2010.

Present: Merle Harvey, Supervisor Susan Gamel, Budget Officer
David Tessmer, Councilman Becky Jo Summers, Town Clerk
Mary Clark, Councilwoman

Absent: Robert Gaylord, Councilman, Alan Butzer, Councilman

Others Present: Highway Superintendent Jensen and Deputy Highway Superintendent Waterman

Supervisor Harvey called the meeting to order at 7:07 PM.

Budgets for the following funds were gone over: DA. L. Fire, Helmuth and Refuse

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 8:45 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 4th day of October 2010.

Present: Merle Harvey, Supervisor
David Tessmer, Councilman
Alan Butzer, Councilman

Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Absent: Robert Gaylord, Councilman, Mary Clark, Councilwoman

Others Present: Dennis Jensen Highway Superintendent; Charles Siegle Code Enforcement Officer; Ron Franze Chairman, R W Moppert Water Commissioners; Thomas Siegle Chairman, Dick Agle Planning Board; Lois Johnson; Margaret Degenfelder; Scott Williams Chairman Parks & Recreation; Irene Pfeifer; Warren & Bridget Farner and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 237: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to approve the agenda as presented.

ADOPTED Ayes 3 Butzer, Tessmer, Harvey
Nays 0

RESOLUTION # 238: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Supervisor Harvey, to approve the minutes of the Tuesday, September 20, 2010 meeting as presented.

ADOPTED Ayes 3 Butzer, Tessmer, Harvey
Nays 0

RESOLUTION # 239: APPROVAL OF ABSTRACT

Motion made by Councilman Butzer, seconded by Councilman Tessmer, that the bills be paid on abstract # 19 for 2010, dated October 4, 2010 covering Vouchers # 741 - 784 (Vouchers 739 & 740 not submitted) for \$ 32,508.37:

General Town Wide	9,456.86	Special Refuse	2,560.70
General Part Town	3,580.56	Water District # 1	2,384.39
Highway Fund	12,372.59	Water District # 3	1,228.02
Special Lighting Fund	925.25	Grand Total	\$ 32,508.37

ADOPTED Ayes 3 Butzer, Tessmer, Harvey
Nays 0

Correspondence

The Erie County Legislature on September 23, 2004 designated November 1st through November 30th as the annual thirty-day period during which land owners may submit requests to include predominantly viable agricultural land into and existing certified agricultural district as per New York State Agriculture and Markets Law Section 303-b.

The Erie County Department of Environment and Planning (ECDEP) (Room 1063) at 95 Franklin Street, Buffalo, New York 14202 will accept applications for addition into an agricultural district.

Town Supervisors, Clerks and Assessors in Erie County and ECDEP at the above-mentioned address have copies of the application form to provide to any persons requesting them.

If you have any questions or problems concerning the 30-day period proves, please contact ECDEP Planner John Opalka at (716) 858-6229.

Reports

Highway department is working on equipment at the transfer station and 15 – 20 flag poles were found.

Town Clerk reported \$11,130.50 in sales with \$4,443.97 the town's portion. The 2011 tentative town budget has been received from the budget officer and the Town of Collins Fire District 2011 proposed budget has also been received.

Board Reports

Councilman Butzer stated he emailed information regarding the insurance buy-out to board members.

Attorney Musacchio arrived at 7:30 pm and reported there are two pending assessment cases in court.

Councilman Tessmer attended the budget workshop, is working on water district 3's problem and is researching local laws regarding abandoned property.

Supervisor Harvey has given the ok to do the parking lot at a cost of \$2,580.00; received a sales tax check for \$80,112.75; met with State Representative Jack Quinn regarding the census; asks Councilman Butzer to check with Helmuth regarding the increased salary and new hires. Mr. Harvey spoke with the town clerk from Brant. In 2004 they received a grant of about \$4,000.00 for their website and then received two more grants.

Old Business

1. Resolution needed to advertise for position on the Assessment Board of Review due to non-appointment of previous member.

RESOLUTION # 240: PLACE AD FOR ASSESSMENT BOARD OF REVIEW

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to place an ad for the Assessment Board of Review in both the Gowanda and Springville penny savers for one week.

ADOPTED Ayes 3 Butzer, Tessmer, Harvey
Nays 0

2. Bulk water meter

RESOLUTION #241: APPROVE PURCHASE OF WATER METER

Motion made by Councilman Tessmer, seconded by Councilman Butzer, that the town board authorizes Highway Superintendent Dennis Jensen purchase a water meter with back-flow preventer not to exceed \$1,500.00.

ADOPTED Ayes 3 Butzer, Tessmer, Harvey
Nays 0

3. Winter recreation appointments

RESOLUTION #242: APPROVE HIRING WINTER RECREATION WORKERS

On motion made by Councilman Butzer, seconded by _____, the following resolution:

FAILED Ayes
Nays

Resolved that the town board hire the winter recreation people from the list presented.

The previous resolution failed due to lack of a second.

4. Mulch town park – approximately 153 yards of mulch are needed costing approximately \$3,825.00. Murphy Logging of Machias, NY is the only place that has that much in stock. Councilman Butzer wants to see some other quotes. Supervisor Harvey will look into it and will also check with the insurance regarding the use of wood chips.

New Business

1. Elevator warranty – the original warranty will expire October 27th. An extended warranty will cost \$156.00 a month or an annual safety test will cost \$62.00 per month.

2. Supervisors August monthly report

RESOLUTION #243: ACCEPT SUPERVISORS MONTHLY REPORT

Motion made by Councilman Tessmer, seconded by Councilman Butzer, that the Town Board accept the Supervisor's Monthly report for August 2010 as submitted.

ADOPTED Ayes 3 Butzer, Tessmer, Harvey
Nays 0

PUBLIC HEARING FOR FEDERAL COMMUNITY DEVELOPMENT FUNDSRESOLUTION #244: **OPEN PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT**

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to interrupt this meeting to conduct a Public Hearing advertised and scheduled for this evening at 8:00 PM.

ADOPTED Ayes 3 Butzer, Tessmer, Harvey

Nays 0

Town Clerk Summers read the notice of public hearing. Supervisor Harvey explained the program and process of applying and what types of projects are available for funding. A list of programs funded in the Town of Collins since 1991 was read.

It was opened up to the floor for ideas or suggestions:

1. Roland Moppert – emergency generators for the town hall and community center
2. Lois Johnson - sidewalks (The planning board is working on sidewalks.)
3. Scott Williams – items for the parks
4. Rural Transit Van Service

With no one else wishing to be heard the public hearing was closed.

Supervisor Harvey declared the public hearing closed at 8:13 pm.

Roland Moppert was presented a certificate of appreciation that was awarded to him from the Erie County Department of Health in recognition of his outstanding partnership and performance during the Novel H1N1 influenza pandemic and his dedication to the residents of Erie County.

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Tessmer, the meeting was adjourned at 8:15 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 6th day of October 2010.

Present: Merle Harvey, Supervisor Susan Gamel, Budget Officer
 David Tessmer, Councilman Becky Jo Summers, Town Clerk

Absent: Robert Gaylord, Councilman, Alan Butzer, Councilman, Mary Clark, Councilwoman

Others Present: Highway Superintendent Jensen and Deputy Highway Superintendent Waterman

Supervisor Harvey called the meeting to order at 7:07 PM.

Deputy Highway Superintendent Waterman went through the highway budget lines.

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Tessmer, the meeting was adjourned at 9:10 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 13th day of October 2010.

Present:	Merle Harvey, Supervisor	David Tessmer, Councilman
	Robert Gaylord, Councilman	Susan Gamel, Budget Officer
	Mary Clark, Councilwoman	Becky Jo Summers, Town Clerk
	Alan Butzer, Councilman	

Others Present: Highway Superintendent Jensen; Deputy Highway Superintendent Waterman and Matt Wurst of the water and parks departments

Supervisor Harvey called the meeting to order at 7:08 PM.

The highway and transfer station portions of the budget were discussed.

With no further business, on a motion of Councilman Butzer, seconded by Councilman Gaylord, the meeting was adjourned at 9:03 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 18th day of October 2010.

Present: Merle Harvey, Supervisor
David Tessmer, Councilman
Alan Butzer, Councilman
Robert Gaylord, Councilman
Mary Clark, Councilwoman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Charles Siegle Code Enforcement Officer; Ron Franze Chairman, R W Moppert Water Commissioners; Thomas Siegle Chairman, Dick Agle Planning Board; Lois Johnson; Margaret Degenfelder; Richard Westlund, reporter Gowanda Penny Saver News and Josh Cruz-Besa

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

RESOLUTION # 245: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 246: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Supervisor Harvey, to approve the minutes of the October 4, 2010 regular meeting.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0
Abstained 1 Clark

RESOLUTION # 247: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to approve the minutes of the October 6, 2010 budget workshop as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Tessmer, Harvey
Nays 0
Abstained 1 Clark

RESOLUTION # 248: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to approve the minutes of the October 13 budget workshop as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 249: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the bills be paid on abstract # 20 for 2010, dated October 18, 2010 covering Vouchers # 785 - 820 for \$ 70,508.72:

General Town Wide	3,282.31	Water District # 1	19,181.50
General Part Town	3,395.72	Water District # 3	23,938.57
Highway Fund	7,419.21	Library	9,000.00
Special Lighting Fund	23.12	Water District # 4	2,576.80
Special Refuse	1,691.49	Grand Total	\$ 70,508.72

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Correspondence

The Erie County Legislature on September 23, 2004 designated November 1st through November 30th as the annual thirty-day period during which land owners may submit requests to include predominantly viable agricultural land into and existing certified agricultural district as per New York State Agriculture and Markets Law Section 303-b.

The Erie County Department of Environment and Planning (ECDEP) (Room 1063) at 95 Franklin Street, Buffalo, New York 14202 will accept applications for addition into an agricultural district.

Town Supervisors, Clerks and Assessors in Erie County and ECDEP at the above-mentioned address have copies of the application form to provide to any persons requesting them.

If you have any questions or problems concerning the 30-day period proves, please contact ECDEP Planner John Opalka at (716) 858-6229.

Board Reports

Councilman Gaylord reviewed the vouchers and met with representatives from security companies.

Councilman Butzer is researching other sources for mulch for the park, contacted other towns regarding prison population and the census.

Councilman Tessmer attended budget workshops and drafted a resolution of our position on the sales tax issue for all to look over.

Councilwoman Clark attended budget workshop, reviewed the vouchers and spoke with Paul Bowers of Wm Schutt & Associates on the park bids.

Supervisor Harvey attended the bid opening for the pump house project.

Code Enforcement Officer Degman presented his monthly report to the board.

Old Business

1. Winter recreation appointments – discussion held on the number of participants; the proposed appointees; process of going over applications and record keeping and retention.

RESOLUTION # 250: APPROVE HIRING YOUTH CENTER ASSOCIATES FOR WINTER RECREATION

Motion made by Councilwoman Clark, seconded by, Councilman Tessmer to hire for the winter recreation program Travis Gominiak as head counselor, Jennifer Frontuto as head cashier, Aimee Beyette as craft coordinator; Jamie Krajewski, John Peglowski, Eric Darling, Rebecca Gominiak, Rebecca Russell, Matthew Grudzien, James Sowa, Mindy Mohawk and Christian Peglowski, as counselors.

Motion made by, seconded by, to

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

2. Elevator warranty – There are two options for continued elevator service. The extended warranty covers parts, labor, PM, annual safety testing, remote monitoring, emergency telephone monitoring and service calls during normal business hours for \$156.00 per month. The second option will provide for an annual PM, annual safety testing, remote monitoring and emergency elevator telephone monitoring for \$62.00 per month. Supervisor Harvey will contact Schindler Elevator and ask what the cost is of an annual test. Councilman Butzer will contact some elevator companies for information.

3. Town park walkway – the list of projects for the park needs to be gone through and prioritized.

RESOLUTION # 251: APPROVAL CONTRACT TO PAVE PARK WALKWAY

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to approve the contract of \$57,550.00 from Milherst Paving to do the paving of the walkway in the town park.

DEFEATED Ayes 0

Nays 5 Gaylord, Butzer, Clark, Tessmer, Harvey

RESOLUTION # 252: REJECT ALL BIDS ON PARK SHELTER

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to reject all bids for the construction of a shelter in the town park per recommendation of the engineer and the engineer will let the bidders know.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

4. Mulch Town Park – this project will be left until next spring to do as it is too late this year to complete. Councilman Butzer did some checking and reported there is mulch that is specific to parks at the lower end of the price range.

5. Roof on the L. K. Painter Community Center – we have 20 five-gallon pails of coating that should be done this year. Mr. Harvey wants to get some quotes to apply the coating.

6. Grading around town hall – quote received from Russo in November 2009 was \$4,000.00 but last year there was discussion that town forces would do. Supervisor Harvey will contact Russo and see if they will

do it for the quoted price.

7. Security System – Councilman Gaylord went through the quotes he received. All companies will give a demonstration to the board. Quotes ranged from four to six cameras and motion detectors. ADT has the least expensive system and they will monitor for \$67.00 per month. The judges would like panic buttons and this could be submitted on a justice grant. Mr. Gaylord will get more information for Wednesday's meeting.

New Business

1. Resolution is needed ranking the CDBG project application

The public hearing was held at the last town board meeting. Suggested projects were brought up at that time. Supervisor Harvey if there were any more suggestions for projects. No one spoke up.

RESOLUTION # 253: RANK CDBG PROJECTS

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, that the Town Board authorized Merle A. Harvey, Supervisor to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following projects upon approval of ECCDBG.

1. Rural Transit Van Program

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

2. Set public hearing for Town 2011 Preliminary Budget for Monday, November 1st

RESOLUTION # 254: APPROVE AND SET PUBLIC HEARING FOR 2011 PRELIMINARY BUDGET

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to adopt the following resolution:

RESOLVED, that this Town Board has prepared and does approve the preliminary budget of this Town for the fiscal year beginning on the 1st day of January, 2011 and be it

FURTHER RESOLVED that such preliminary budget shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours; and be it

FURTHER RESOLVED that this Board shall meet November 2nd at 8:00 o'clock P. M. for the purpose of holding a public hearing upon such preliminary budget; and be it

FURTHER RESOLVED that the Town Clerk give notice of such hearing in the manner provided in section 113 of the Town Law.

ADOPTED Ayes 5 Gaylord, Clark, Tessmer, Harvey
Nays 0

3. Award bid for adding trees to the park

RESOLUTION # 255: APPROVE TREE PLANTING BID IN PARK

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to adopt the following resolution:

Whereas, the Town of Collins, in 2006, began expansion of the Town Park, and

Whereas, we are currently in Phase 3 of this expansion, and

Whereas, sales tax distribution has been funding this expansion, and

Whereas, the future of this funding has come into question, and

Whereas, this possible future loss of funding has caused us to evaluate the pace of this project, and

Whereas, we recognize the value of adding trees to the park, and

Whereas, because of this desire to make sure the trees are planted, the engineer has separated out the tree planting.

Therefore, Be It Resolved, that we accept the low bid of \$5,950.00 submitted by Birch Grove Landscaping and Nursery, Inc.

Be It Further Resolved, that the Supervisor is authorized and directed to notify Wm Schutt and Associates on the next business day of the Board's acceptance, and to sign the agreement to proceed with the planting.

New Topics – Discussion and Comments

1. Attorney corrected bill – we received a bill from Hodgson Russ for legal services that was thought be have been taken care of. Attorney Musacchio stated we can dispute the bill as we never signed a retainer with them.

RESOLUTION # 256: **AUTHORIZE ATTORNEY SEND LETTER OF DISPUTE ON UNPAID BILL**

Motion made by Councilman Butzer, seconded by Councilwoman Clark, to authorize the attorney for the town to write a letter to Hodgson & Russ disputing the amount of the unpaid bill in question.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

2. Girl scout troop would like to use the LK Painter Center Wednesday nights 6:00 to 7:30 for four to eight participants. There is no one at the center at that time that could open and close for them. They presently are meeting at the library.

3. Water committee – On April 15, 2002 the bond resolution to fund the water improvement in District #3 says all debt to be paid by levy of tax. Different options were discussed:

- a. There is a bond resolution open to cover \$31,000.00 to \$32,000.00 and will cost approximately \$1,000.00
- b. We could go to the open market, borrow and pay off Rural Development to get a cheaper interest rate and less time to pay.
- c. Increase water tax by \$.70 per 1,000
- d. Short term increase of water rate or tax.
- e. Do a one-time user fee over two years of \$135.00 per year.

4. Safety committee for the Town of Collins: Mark Hobson, Dan Stroud, Sue Gamel, Jeff Johnson, Joan Byrne and Merle Harvey.

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark, the meeting was adjourned at 8:37 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Workshop of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 20th day of October 2010.

Present: Merle Harvey, Supervisor David Tessmer, Councilman
Robert Gaylord, Councilman Susan Gamel, Budget Officer
Mary Clark, Councilwoman Becky Jo Summers, Town Clerk

Absent: Alan Butzer, Councilman

Others Present: Highway Superintendent Jensen and Matt Wurst of the water and parks departments

Supervisor Harvey called the meeting to order at 7:06 PM.

Dale Larson is no longer with Wm Schutt & Associates.

Russo is ok with the price of doing the drainage around the town hall but they cannot do it this fall. They will do it in the spring.

Councilman Gaylord spoke with a representative of ADT on the security system. The quoted an additional \$370.00 each to add three panic buttons to the bill and the monitoring decreased by \$7.00 per month.

RESOLUTION # 257: SUBMIT JUDICIAL ADMINISTRATION GRANT

Motion made by Councilwoman Clark, seconded by Supervisor Harvey submit a Judicial Court Administration Grant for ADT Security Services to include a camera surveillance and alarm system for the quoted price of \$2,269.00 plus storage cabinets, shelving and storage/filing supplies for the court

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Matt Wurst has prices for a new zero turn diesel mower.

Beautification will start one week later and Mark Mangano will start one week after Matt Wurst starts.

The planning board cannot take their own minutes; they should have a secretary.

Board worked on the budget.

With no further business, on a motion of Councilman Butzer, seconded by Councilman Gaylord, the meeting was adjourned at 9:03 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Workshop of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 25th day of October 2010.

Present: Merle Harvey, Supervisor Susan Gamel, Budget Officer
 David Tessmer, Councilman Becky Jo Summers, Town Clerk
 Alan Butzer, Councilman

Absent: Robert Gaylord, Councilman Mary Clark, Councilwoman

Others Present: Justice Norm Peters, Dan Stroud water and Matt Wurst water and parks departments

Supervisor Harvey called the meeting to order at 7:05 PM.

Justice Peters asked for a raise for the court clerk and it is not working for her to punch the time clock as she makes some calls from home. It was suggested of putting her on salary of an average of the last few years. Comment made to leave hourly.

Water funds were gone through. Presently, labor costs are being billed at 55% for district 1 and 45% for district 3, per daily logs. Scada system could pay for itself within 1 ½ years.

In district 3 all water services (taps) would be assessed \$131.15 a year for two years.

The A fund was gone through. Supervisor Harvey reported on Bob Peglowski suggestion of putting Becky Jo Summers as clerk paid out of half the third line and when the appointed assessor for 2012 is on board during 2011 pay them to learn.

With no further business, on a motion of Councilman Butzer, seconded by Councilman Gaylord, the meeting was adjourned at 10:00 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Workshop of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 27th day of October 2010.

Present: Merle Harvey, Supervisor Susan Gamel, Budget Officer
 Robert Gaylord, Councilman Becky Jo Summers, Town Clerk
 Mary Clark, Councilwoman

Absent: David Tessmer, Councilman Alan Butzer, Councilman

Others Present: Pete Waterman Deputy Highway Superintendent and Matt Wurst water and parks departments

Supervisor Harvey called the meeting to order at 7:05 PM.

Health insurance was gone over. A 2% raise was put in for full time employees.

With no further business, the meeting was adjourned at 9:25 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of November 2010.

Present: Merle Harvey, Supervisor Mary Clark, Councilwoman
David Tessmer, Councilman Becky Jo Summers, Town Clerk
Alan Butzer, Councilman Sue Gamel, Budget Officer
Robert Gaylord, Councilman James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Gene Degman Code Enforcement Officer; Ron Franze Chairman, Water Commissioner; Matt Wurst; Lois & Dave Johnson; Margaret Degenfelder; Kenneth Martin; Joe & Janet Vogtli; Irene Pfeifer; Bridget Farnier; Mary Stelley; Heather McKeever; Richard Clark; Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:03 PM with the pledge to the Flag.

RESOLUTION # 258: APPROVAL OF AGENDA

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to approve the agenda as presented.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 259: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to approve the minutes of the September 29th workshop.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 260: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve the minutes of the October 18th regular meeting.

ADOPTED Ayes 3 Clark, Tessmer, Harvey
Nays 0
Abstain 2 Gaylord, Butzer

RESOLUTION # 261: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to approve the minutes of the October 20 budget workshop as presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0
Abstain 1 Butzer

RESOLUTION # 262: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the minutes of the October 25 budget workshop as presented.

ADOPTED Ayes 4 Butzer, Clark, Tessmer, Harvey
Nays 0
Abstain 1 Gaylord

RESOLUTION # 263: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, that the bills be paid on abstract # 21 for 2010, dated November 1, 2010 covering Vouchers # 739 – 740 and 821 - 854 for \$ 36,475.65:

General Town Wide	11,481.25	Special Refuse	104.53
General Part Town	11,859.66	Water District # 3	141.12
Highway Fund	11,172.54	Water District # 1	<u>763.02</u>
Special Lighting Fund	953.53	Grand Total	\$ 36,475.65
ADOPTED Ayes 5	Gaylord, Butzer, Clark, Tessmer, Harvey		
Nays 0			

Correspondence

The Erie County Legislature on September 23, 2004 designated November 1st through November 30th as the annual thirty-day period during which land owners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district as per New York State Agriculture and Markets Law Section 303-b.

The Erie County Department of Environment and Planning (ECDEP) (Room 1063) at 95 Franklin Street, Buffalo, New York 14202 will accept applications for addition into an agricultural district.

Town Supervisors, Clerks and Assessors in Erie County and ECDEP at the above-mentioned address have copies of the application form to provide to any persons requesting them.

If you have any questions or problems concerning the 30-day period, please contact ECDEP Planner John Opalka at (716) 858-6229.

Public Access

1. Dave Johnson, President of the Gowanda Lion's requested use of space at the L K Painter Community Center Saturday, December 18th for their annual food program. The week before the 18th the club will take boxes to the center.

2. Janet Vogtli reported she had been asked by some police agencies to look into the Village of Gowanda starting their own court. Our judges are not accessible and the police officers are frustrated they cannot find a judge and have to go to other towns for arraignment. Heather McKeever, Village Trustee said a lot of people from the village want to have their own court. The village would like to work this out with both towns so they could obtain the courts fees they feel they are entitled to.

Public Hearing – 7:30 pm – 2011 Preliminary Town Budget**RESOLUTION # 264: MOVE TO SCHEDULED PUBLIC HEARING**

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to interrupt this meeting to hold a Public Hearing advertised and scheduled for this evening at 7:30 PM.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

Town Clerk Summers read the notice of public hearing.

Supervisor Harvey went through the budget, line by line. Highway Superintendent Jensen states he will not take the raise.

Councilwoman Clark spoke with Erie County Legislator John Mills and was told the sales tax distribution is covered under a county law and the formula for distribution will not be changed.

Water district # 3 borrowed money from district # 1 and will be paid back by a one-time amount of two payments through water billing for 183 taps.

(A meeting will be set up the district # 3 residents.)

Clarification was asked for on some amounts in the budget for next meeting.

Comments were asked for from the public. After all wishing to be heard, the hearing was closed.

RESOLUTION # 265: CLOSE PUBLIC HEARING

Motion made by Councilwoman Clark, seconded by Councilman Butzer, to close the Public Hearing at 9:37 PM.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

The board took no action on the budget.

Public Access

Mary Stelley asked if the speed limit on Gowanda Zoar Rd, going up the hill, could be lowered below the posted 45 MPH. Supervisor Harvey stated he will ask the State Police to patrol the area. Highway Superintendent Jensen will talk with the county. A resolution would have to be done requesting a reduction in the speed.

Board Reports

Councilman Gaylord attended the budget workshops, reviewed the vouchers, attended the Assoc. of Erie County Governments meeting and submitted a J Cap Grant.

Councilman Butzer received answers to his questions on the elevator.

Councilman Tessmer attended budget workshops.

Councilwoman Clark attended budget workshop and reviewed the vouchers.

Supervisor Harvey attended budget workshops and the Assoc. of Erie County Governments meeting.

Old Business

1. Schindler Elevator contract price to do the annual pressure test and 24/7 monitoring is \$745.00. Councilman Butzer obtained pricing from \$260.00 to \$560.00. The board will follow up on monitoring prices.

Town Clerk Summers reported \$ 6,942.00 in sales for October with the town's portion \$ 3,927.22.

2. Bid for Taylor Hollow Road and Flavia Lane Interconnection – Water system improvements. The construction includes the installation of 10-inch watermain pipe along Taylor Hollow Road, 8-inch watermain pipe on Flavia Lane, interconnections at three locations to the existing watermain, fittings, valves, a new hydrant, service connection and restoration.

Bids were received from:

Cayuga Excavating, 8719 Route 89, Interlaken NY	\$ 108,490.00
E & R General Construction, 38 St David's Dr, W Seneca NY	209,970.00
D & H Excavating, 11939 Route 98 South, Arcade NY	168,150.00
Occhino Corp, 2650 Seneca St, W Seneca NY	191,779.00
Fairways Contracting, PO Box 352, Orchard Park, NY	131,357.32

RESOLUTION # 266: AWARD CONTRACT FOR TAYLOR HOLLOW ROAD AND FLAVIA LANE INTERCONNECTION

Motion made by Councilman Gaylord, seconded by, Councilman Tessmer that a construction contract for the Taylor Hollow Road and Flavia Lane Interconnection Project be awarded to the lowest responsive and responsible bidder, Cayuga Excavating, Inc., 8719 Route 89, Interlaken NY 14847, for its lump sum base bid amount of \$ 108,490.00

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

3. Bid for Wellhead/Pumphouse Flood Protection Project. The construction includes construction of a flood control berm, installation of storm drainage facilities and control devices, reconstruction of the site service road, earthwork and grading, additional fencing, and sediment control.

Bids were received from:

E & R General Construction	192,300.00
Buffalo Creek Inc	188,775.00
Scott Lawn Yard	148,000.00
Birch Grove Landscaping	102,800.00
ERW Enterprises	221,000.00
H & K Services	206,800.00
Milherst Construction	172,790.00
Ingalls Site Development	154,400.00
Highland Acres Landscaping	118,360.00

RESOLUTION # 267: AWARD CONTRACT FOR THE WELLHEAD/PUMPHOUSE FLOOD PROTECTION PROJECT

Motion made by Councilman Gaylord, seconded by, Councilman Tessmer that a construction contract for the Wellhead/Pumphouse Flood Protection Project BE awarded to the lowest responsive and responsible bidder, Birch Grove Landscaping, Inc., located at 11736 Big Tree Road, PO Box 117, East Aurora NY 14052, for its lump sum base bid amount of \$ 102,800.00

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

4. Supervisors September monthly report

RESOLUTION #268: ACCEPT SUPERVISORS MONTHLY REPORT

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, that the Town Board accept the Supervisor's Monthly report for September 2010 as submitted.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

New Business

1. Dog ordinance (law and fees) copy of proposed local law from Newstead was handed out to the board members to look over.

2. License Plate reader – Village of Gowanda is requesting \$450.00 towards the cost of a \$1,700.00 license plate reader for the police

RESOLUTION # 269: APPROVE LICENSE PLATE READER REQUEST

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to give \$450.00 towards a license plate reader to the Village of Gowanda for use by the police.

DEFEATED Ayes 3 Gaylord, Butzer, Harvey
Nays 2 Clark, Tessmer

3. Resolution increasing expenditure for engineering services on Phase 3 of the park project from resolution # 137 which authorized up to \$1,000.00 to cover total amount spent of \$11,282.00. Councilwoman Clark thought resolution # 219 addressed that but it was for accepting the engineer's schedule for bids/quotes and nothing on expenditures.

RESOLUTION # 270: INCREASE EXPENDITURE FOR ENGINEERING SERVICES

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to increase expenditure of expenses of Phase 3 Park Improvements from \$1,000.00 to \$11,282.00

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0 Butzer

4. Grant resolution – Councilwoman presented a resolution for receive grant money through the New York State Office of Parks, Recreation & Historic Preservation for the paving of the park walkway.

RESOLUTION # 271: APPROVAL TO SUBMIT APPLICATION FOR PARK GRANT

Motion made by Supervisor Harvey, seconded by Councilman Tessmer, to wit:

Whereas, the Town of Collins has invested in, and has committed to, the purchase of land for the purpose of expanding the Collins Town Park, and

Whereas, the Town has dedicated funds annually to the expansion, and

Whereas, the Town Board is steadfast in its resolve to save taxpayer dollars whenever possible while continuing this expansion.

Now, Therefore Be It Resolved that authorization be given to permit the application for a grant for the paving of the park walkway through the New York State Office of Parks, Recreation & Historic Preservation

DEFEATED Ayes 0
Nays 5 Gaylord, Butzer, Clark, Tessmer, Harvey

RESOLUTION # 272: APPROVE USE OF L K PAINTER COMMUNITY CENTER TO LIONS CLUB

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to give permission to the Gowanda Lion's Club to use the L K Painter Community Center Saturday, December 18th for the food and toy program.

ADOPTED Ayes 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nays 0

With no further business, on a motion of Councilwoman Clark, seconded by Supervisor Harvey, the meeting was adjourned at 10:00 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Special Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 5th day of November 2010.

Present: Merle Harvey, Supervisor Mary Clark, Councilwoman
David Tessmer, Councilman Becky Jo Summers, Town Clerk

Absent: Alan Butzer, Councilman Robert Gaylord, Councilman

Others Present: NONE

Supervisor Harvey called the meeting to order at 9:03 AM.

Councilwoman Clark explained the previous resolution for a grant from the New York State Office of Parks, Recreation and Historic Preservation was not complete in what the grant was being filled for. She read the proposed resolution. We would be asking for \$180,000.00 with a matching amount of \$ 36,000.00 from the town. Paul Bowers from Wm. Schutt & Associates wrote the grant. The cost would normally be \$ 3,000.00 but we are being charged \$1,500.00.

RESOLUTION # 273: FILE APPLICATION FOR GRANT FOR PARK

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, that Mary Clark, as Councilwoman of the Town of Collins, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program, in an amount not to exceed \$180,000.00, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Collins for Park Expansion, Phase 3 and, if appropriate, a conservation easement to the deed of the assisted property.

ADOPTED Ayes 3 Clark, Tessmer, Harvey
Nays 0

With no further business, on a motion of Supervisor Harvey, seconded by Councilwoman Clark, the meeting was adjourned at 9:20 AM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Special Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of November 2010.

Present:	Merle Harvey, Supervisor	Mary Clark, Councilwoman
	David Tessmer, Councilman	Becky Jo Summers, Town Clerk
	Robert Gaylord, Councilman	Sue Gamel, Budget Officer

Absent: Alan Butzer, Councilman

Others Present: Kenneth Martin, Richard Clark, Mary Stelley, Lois Johnson

Supervisor Harvey reported Sue Gamel, Budget Officer balanced both senior trip lines, reduced the Highway Superintendent's salary line as he refused the raise and check wages in both water districts. District # 1 salary line was increased due to the two projects being done in that district to cover additional time spent. Labor costs come close to a 55 / 45% split with water districts # 1 and 3. Time spent in each district is logged to that district and all travel is charged to district # 3 Collins Center.

The assessment will catch up via two payments of approximately \$ 135.00 per year for two years. The board will look into refinancing the debt service to shorten the length of years payments would be made.

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to adjourn the meeting at 7:00 pm. Carried.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of November 2010.

Present: Merle Harvey, Supervisor Mary Clark, Councilwoman
David Tessmer, Councilman Becky Jo Summers, Town Clerk
Robert Gaylord, Councilman Sue Gamel, Budget Officer
James Musacchio, Attorney

Absent: Alan Butzer, Councilman

Others Present: Kenneth Martin; Richard Clark; Mary Stelley; Dave and Lois Johnson; Dick Agle; Gene and Mary Metzger; S. Slaughter; Wayne Harvey; Jeff Johnson; Jennifer Frontuto; Margaret Degenfelder and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:03 PM with the pledge to the Flag.

RESOLUTION # 274: APPROVAL OF AGENDA

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to approve the agenda as amended.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 275: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve the minutes of the Monday, November 1st regular meeting.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 276: APPROVAL OF MINUTES

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to approve the minutes of the Wednesday, October 27th workshop.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

RESOLUTION # 277: APPROVAL OF MINUTES

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to approve the minutes of the Friday, November 5th special meeting.

ADOPTED Ayes 3 Clark, Tessmer, Harvey
Nays 0
Abstained 1 Gaylord

RESOLUTION # 278: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, that the bills be paid on abstract # 22 for 2010, dated November 5, 2010 covering Vouchers # 855 - 887 for \$ 22,242.13:

General Town Wide	4,807.63	Water District # 1	3,873.79
General Part Town	1,289.85	Water District # 3	985.81
Highway Fund	10,827.77	Water District # 4	<u>123.70</u>
Special Lighting Fund	23.73	Grand Total	\$ 22,242.13
Special Refuse	309.85		

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Correspondence

The Erie County Legislature on September 23, 2004 designated November 1st through

November 30th as the annual thirty-day period during which land owners may submit requests to include predominantly viable agricultural land into and existing certified agricultural district as per New York State Agriculture and Markets Law Section 303-b.

The Erie County Department of Environment and Planning (ECDEP) (Room 1063) at 95 Franklin Street, Buffalo, New York 14202 will accept applications for addition into an agricultural district.

Town Supervisors, Clerks and Assessors in Erie County and ECDEP at the above-mentioned address have copies of the application form to provide to any persons requesting them.

If you have any questions or problems concerning the 30-day period proves, please contact ECDEP Planner John Opalka at (716) 858-6229.

Public Access

Jeff Johnson, recreation director spoke of doing basketball and baseball programs this fall and spring. The scoreboard and case were sent back as the purchase went over the limit the board approved. An open house brochure was passed out and Santa will visit the center on December 10th. It looks like someone tried to break into the skate box. The skates are on loan to us from Gowanda.

Department Reports

Attorney Musacchio reported there are two pending assessment cases and another case has been settled.

Parks and Recreation – Councilwoman Clark said the recreation needs to purchase another register to keep track of inventory.

Board Reports

Councilman Gaylord reviewed the vouchers and attended the library board meeting and Association of Erie County Governments meeting. Dana Boss, caretaker of the library, will be out of town in January and hopes the town could do something to take care of the library walks. Metal tipped shovels cannot be used to clear the walkway.

Councilman Tessmer reported a transfer station work schedule was made up with trash days January 8th and 29th. Mr. Tessmer has a letter for the board regarding partial funding of the Northwest Solid Waste Management Board to be sent to the County Executive and the Erie County Legislature.

RESOLUTION # 279: **AUTHORIZE LETTER BE SENT REGARDING NEST**

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to authorize the supervisor sign the letter of support for continuation of funding for the NEST board and forward it to Erie County Executive Chris Collins and the Erie County Legislature.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

Board Reports, (cont'd)

Councilwoman Clark attended the recreation meeting and reviewed the vouchers.

Supervisor Harvey reported the L K Painter Center roof has been coated by volunteers, has been working on a safety manual, attended Association of Erie County Governments meeting, worked with the recreation staff with the cash register and sales tax.

Old Business

1. Resolution needed to approve 2011 budget

RESOLUTION # 280: **ADOPT 2011 BUDGET**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to adopt the 2011 Preliminary Town Budget as the Town Budget for 2011 as amended and presented.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey

Nays 0

2. Elevator contract

RESOLUTION # 281: **APPROVE ELEVATOR CONTRACT**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to go with the contract for \$ 62.00 from Schindler Elevator on the elevator annual contract for checking and testing of the elevator.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

3. Assessment Board of Review – One application was received for the position and will be handled at the next meeting.

4. PO-17 Water Committee

RESOLUTION # 282: **FILE PO-17 WITH ERIE COUNTY PERSONNEL FOR WATER ADVISORY COMMITTEE**

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to authorize the supervisor to file a PO-17 for a water district advisory committee with Erie County Personnel.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

5. PO-17 Recreation Committee

RESOLUTION # 283: **FILE PO -17 WITH ERIE COUNTY PERSONNEL FOR RECREATION ADVISORY COMMITTEE**

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to authorize the supervisor to file a PO-17 for a recreation advisory committee with Erie County Personnel.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

6. Kiwanis use of L K Painter Community Center

RESOLUTION # 284: **AUTHORIZE USE OF L K PAINTER COMMUNITY CENTER BY KIWANIS**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to allow the Kiwanis access to the L K Painter Community Center to pack food for distribution on Christmas and New Year's day.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

New Business

1. Dog ordinance (law and fees) will be sent to all board members.

2. Erie 2 BOCES – GED classes used to be held at the L K Painter Community Center rent free. They moved to the school where they pay for the space. They would like to come back to the center. Their program would end about 7 – 7:30 pm twice a week; which is after someone is at the center to lock up. Councilman Gaylord will check with the library if they could go there. Supervisor Harvey will contact BOCES for more information.

3. Set public hearing on kennel permits

RESOLUTION # 285: **SET PUBLIC HEARING ON RENEWAL OF KENNEL PERMITS**

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to set a public hearing on Monday, December 20th at 7:30 pm to review the renewal of kennel permits.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

4. Tree with bank account – A cut section from the tree, which stood in Route 39 west of Jennings Road that had a bank account, has been with the grange. The grange building has been sold and they want to give the slab to the town. Highway Superintendent Jensen said he will store it,

covered, until we can find a fitting place to display it.

RESOLUTION # 286: **ACCEPT DONATION OF SECTION OF TREE THAT HAD A BANK ACCOUNT**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to accept the slab from the tree with a bank account.

ADOPTED Ayes 4 Gaylord, Clark, Tessmer, Harvey
Nays 0

With no further business, on a motion of Councilman Tessmer, seconded by Councilman Gaylord, the meeting was adjourned at 8:35 PM. Carried unanimously.

Becky Jo Summers, Town Clerk

A Special Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Collins Center Fire Hall, 3514 Route 39, Collins Center, NY on the 2nd day of December 2010.

Present:	Merle Harvey, Supervisor	Mary Clark, Councilwoman
	David Tessmer, Councilman	Becky Jo Summers, Town Clerk
	Robert Gaylord, Councilman	Sue Gamel, Budget Officer
	Alan Butzer, Councilman	

Others Present: approximately 35 residents of the Collins Center water district # 3

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

In 2002 the board adopted a bond resolution for funding to go ahead with the project. The debt service incurred was to be covered by taxes. Another resolution was done to increase the project from \$1,245,000.00 to \$1,500,000.00 and stated the debt was to be paid by taxes.

The project seemed to be cash strapped; \$ 31,000.00 was borrowed from district # 1 and there was not enough money to pay it back. Money can be borrowed from another water district but it has to be paid back that same year.

In 2009 we had \$ 21,000.00 fund balance left; water income that paid the debt service.

In the past water labor was figured at 77/23% then 90/10% between water district 1 and 3. Looking at it now the split is 55/45%. The Office of the State Comptroller was called and said we should not allocate labor on cost but should be charged where it occurs.

The 2011 tax increase of water district #1 of \$.84 will bring in approximately \$ 9,000.00. A property's assessed value of \$ 100,000.00 will bring in about \$ 84.00 which will bring us back on track. Supervisor Harvey and Councilman Tessmer worked

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 6th day of December 2010.

Present: Merle Harvey, Supervisor Mary Clark, Councilwoman
 David Tessmer, Councilman Becky Jo Summers, Town Clerk
 Robert Gaylord, Councilman Sue Gamel, Budget Officer
 Alan Butzer, Councilman arrived 7:05 James Musacchio, Attorney

Others Present: Richard Clark; Thomas Siegle, Chairman Planning Board; and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 287: APPROVAL OF AGENDA

Motion made by Councilwoman Clark, seconded by Councilman Gaylord, to approve the agenda as presented.

ADOPTED Ayes 3 Gaylord, Clark, Harvey
 Nays 0

RESOLUTION # 288: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve the minutes of the Monday, November 15th special and regular meetings.

ADOPTED Ayes 3 Gaylord, Clark, Harvey
 Nays 0

Councilman Butzer and Attorney Musacchio arrived at 7:05 pm.

RESOLUTION # 289: APPROVAL OF ABSTRACT

Motion made by Councilwoman Clark, seconded by Supervisor Harvey, that the bills be paid on abstract # 23 for 2010, dated December 6, 2010 covering Vouchers # 888 - 943 for \$ 105,129.30:

General Town Wide	30,290.73	Water District # 1	5,439.22
General Part Town	28,648.96	Water District # 3	1,649.69
Highway Fund	33,486.53	Well House WD1	1,863.00
Special Lighting Fund	1,049.55	Flavia Circle WD1	<u>1,323.80</u>
Special Refuse	1,377.82	Grand Total	\$105,129.30

ADOPTED Ayes 4 Gaylord, Butzer, Clark, Harvey
 Nays 0

Reports

Attorney Musacchio asked if any board member has emails regarding Hodgson Russ from a few years ago. Councilwoman Clark will look; sent a settlement order to the assessors for review before review of the board; the mobile home assessment case went to arbitration and distributed copies of proposed dog law.

Code Enforcement Officer Charlie Siegle reviewed the dog kennel permits and approved all for renewal.

Highway Superintendent Jensen reported 9" of snow; there will be two trash days in January; the tree slab from the tree with a bank account will be moved and covered when weather permits.

Planning Board will meet January 9th at 7:30 pm.

Town Clerk reported \$ 5,550.50 in sales with the town's portion \$ 3,370.05.

Reports of Board Members

Councilman Gaylord reviewed the vouchers, attended the Assoc of EC Governments and the NEST meetings.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey attended the county water quality meeting; reviewed the revised plan for water hook-up with the prison. Our web page is approximately 75% complete.

Old Business

1. Dog Licensing – the proposed law was emailed to the board for review and a public hearing needs to be set.

RESOLUTION # 290: **SET PUBLIC HEARING ON LOCAL LAW NO. 3 OF 2010**

Motion made by Councilman Gaylord, seconded by Councilwoman Clark, to set a public hearing on Local Law No. 3 of 2010 Dog Licensing at 8:00 PM on Monday, December 20, 2010.

ADOPTED Ayes 3 Gaylord, Clark, Harvey

Nays 0

2. Tree contract – resolution needed to authorize payment. The contract has a spring planting cost that was not listed in the correspondence with the engineer. The cost is \$7,175.00 and not \$5,950.00. The other bids had the amount included and were higher. The board members want some information from the engineer as to why we didn't have a recommendation to accept the bid until after some of the trees were planted.

3. ABR appointment – one application was received.

RESOLUTION # 291: **APPOINT ASSESSMENT BOARD OF REVIEW MEMBER**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to appoint Kevin Ploetz to the Assessment Board of Review.

ADOPTED Ayes 0

Nays 0

The motion and second were withdrawn. Councilman Gaylord will contact the references before next meeting.

New Business

1. Heating systems at town hall and L. K. Painter Community Center – Supervisor Harvey contacted Doug Martindale, who was caretaker at the L K P to look at the heating systems. He can fix the town hall system for about \$400.00 in parts, \$25.00 per hour labor and did not have a price for the L K P. Mr. Martindale wants to go over everything. Councilman Gaylord asked if Doug has insurance as he was in the heating business. Supervisor Harvey will ask.

2. Authorize expenditure to look at re-bonding water district #1 and #1 bond debt – Councilman Butzer would like to know what it would cost to re-bond.

Supervisor Harvey asked Councilman Butzer about the comment of designated revenues he made at the December 2nd meeting. The only designated revenue is the sales tax. The two-year assessment will go away after the two years. The tax was to cover the debt service but since they did not this assessment is in lieu of a rate increase. The labor costs will have to be reviewed. Councilman Butzer asked to work on that committee, but if three board members is on a committee that would constitute a meeting. Mr. Butzer asks if Councilman Tessmer steps aside for a year so he can be on the committee. Councilman Butzer asks to see the information of the labor split. Supervisor Harvey said he went through the timesheets and came up with a total; but, Mr. Butzer can come in a go through them.

Councilman Butzer stated water district # 3 is paying more than Gowanda and Collins for water. Councilman Gaylord stated all have different debt service.

Councilwoman Clark asks what the water districts are paying the water commissioners for as all that is seen is requests for equipment and no input for anything else.

With no further business, on a motion of Councilman Gaylord, seconded by Councilwoman Clark, the meeting was adjourned at 8:52 PM. Carried unanimously.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 20th day of December 2010.

Present: Merle Harvey, Supervisor
David Tessmer, Councilman
Robert Gaylord, Councilman
Alan Butzer, Councilman
Becky Jo Summers, Town Clerk
Sue Gamel, Budget Officer
James Musacchio, Attorney

Absent: Mary Clark, Councilwoman

Others Present: Dave and Lois Johnson, Margaret Degenfelder, Richard Agle and Richard Westlund, reporter Gowanda Penny Saver News

Supervisor Harvey called the meeting to order at 7:00 PM with the pledge to the Flag in memory of Roland W. Moppert.

RESOLUTION # 292: APPROVAL OF AGENDA

Motion made by Councilman Butzer, seconded by Councilman Tessmer, to approve the agenda as presented.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

RESOLUTION # 293: APPROVAL OF MINUTES

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve the minutes of the Monday, December 6th regular meeting.

ADOPTED Ayes 3 Gaylord, Butzer, Harvey
Nays 0
Abstained 1 Tessmer

RESOLUTION # 294: APPROVAL OF ABSTRACT

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, that the bills be paid on abstract # 24 for 2010, dated December 20, 2010 covering Vouchers # 944 - 980 for \$ 19,318.70:

General Town Wide	5,928.62	Water District # 3	420.80
General Part Town	6,131.89	Well House WD1	3,211.30
Highway Fund	635.50	Flavia Circle WD1	<u>1,395.08</u>
Special Refuse	184.00	Grand Total	\$ 19,318.70
Water District # 1	1,411.51		

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

Public Access

Dave Johnson, President of the Gowanda Area Lions Club thanked the board for the use of the room at the L K Painter Community Center for their annual food and toy program. They served 74 families with a total of 191 kids.

Board Reports

Councilman Gaylord reviewed the vouchers, attended the library board meeting and checked on the JCap grant.

Councilman Tessmer reported on the service for Roland W. Moppert at Mentley's Funeral Home; the paper recycling will accept catalogs but not telephone books. Mr. Tessmer passed out a copy of Town of Concord's outdoor furnace law and is working on a draft for the town to work on. Supervisor Harvey received a quote from the state insurance, has had the proposed safety manual he has been working on reviewed and wants the board to review it. Mr. Harvey was approached by an insurance agent about giving us a quote on insurance.

Old Business

1. Resolution authorizing payment to all commissioners

RESOLUTION # 295: AUTHORIZE STIPEND TO RECREATION AND WATER COMMISSIONERS

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to adopt the following resolution:

Whereas, the town has had a long history of service by the recreation and water commission; and

Whereas, it was brought to our attention by Erie County Civil Service Department that we could not continue the long standing practice of paying the commissioners a stipend because the civil service job description of these positions; and

Whereas, we have met the conditions of civil service department to continue to pay a stipend at this time; and

Whereas, these committee members have faithfully performed their duties for the 2010 year.

Therefore, Be It Resolved that the board authorize the stipends as follows:

Water commission members at \$ 1,170.00

Recreation commission members:

Chairman \$ 605.00

Secretary 505.00

Members 405.00

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey

Nays 0

2. Set fee for business advertisers for webpage

RESOLUTION # 296: SET FEES FOR BUSINESS ADVERTISERS FOR THE WEBPAGE

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, set fees for advertising on the town's webpage at \$ 100.00 for businesses with links to their own site and \$ 125.00 for businesses with links to their webpage on the back of ours; for the year 2011.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey

Nays 0

Public Hearing – Kennel Special Use Permit renewals**RESOLUTION # 297: MOVE TO SCHEDULED PUBLIC HEARING**

Motion made by Councilman Tessmer, seconded by Councilman Butzer, to interrupt this meeting to hold a Public Hearing advertised and scheduled for this evening at 7:30 PM.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey

Nays 0

PUBLIC HEARING – DOG KENNEL SPECIAL USE PERMITS

The public hearing was declared open at 7:30 pm. Attorney Musacchio read the notice of public hearing.

There are eight renewal permits:

1. Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141
2. Karen Fedick, 13688 Brewer Road, Collins, NY 14034
3. Barbara Kinnaird, 13831 Route 62, Collins, NY 14034
4. Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
5. Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141
6. Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070
7. Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034
8. Christopher and Mindy Purdy, 12796 Ketchum Road, Lawtons, NY 14091

Comments were asked for from the floor: none offered.

With all persons desiring to be heard, Supervisor Harvey closed the hearing at 7:35 pm.

The regular meeting was reconvened.

Old Business (cont'd)

3. Heating at L K Painter Community Center – Doug Martindale has closed his business and does not have insurance. Supervisor Harvey suggests hiring him as a laborer for a few weeks at \$25.00 per hour, covered by our insurance and when he is done he would be laid off. Mr. Martindale would work when no one is in the center. Councilman Butzer asks if we can have outside vendors give a quote – as he feels too much can go wrong.

RESOLUTION # 298: **AUTHORIZE REPAIRS AT LKP AND TOWN HALL BY LABORER**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord, to authorize the hiring of Douglas Martindale to bring the L K Painter Community Center and Town Hall heating systems up to speed for part time at \$ 25.00 per hour at a maximum of 120 hours.

ADOPTED Ayes 3 Gaylord, Tessmer, Harvey
Nays 1 Butzer

4. Re-bonding water district #1 and #3 - Supervisor Harvey spoke with Kelly Latham of Fiscal Advisors and she feels this is not a viable thing for us to do now. The board still would like a price to re-bond and Mr. Harvey will contact Kelly again.

Public Hearing – Dog Licensing Law of the Town of Collins

RESOLUTION # 299: **MOVE TO SCHEDULED PUBLIC HEARING**

Motion made by Councilman Tessmer, seconded by Supervisor Harvey , to interrupt this meeting to hold a Public Hearing advertised and scheduled for this evening at 8:00 PM.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

PUBLIC HEARING – LOCAL LAW # 3 - 2010 – DOG LICENSING LAW OF THE TOWN OF COLLINS

The public hearing was declared open at 8:00 pm. Attorney Musacchio read the notice of public hearing.

Beginning January 1, 2011 dog licensing will become a local function and fees that may be charged for licensing or impoundment of dogs will be changed.

Comments were asked for from the floor: none received.

With all persons desiring to be heard, Supervisor Harvey closed the hearing at 8:03 pm.

The regular meeting was reconvened.

New Business

1. Review new safety manual – Supervisor Harvey wants the board to go through the safety manual within the next two weeks so it can be adopted at the January 3rd meeting. Mr. Harvey will try and have it emailed to the board. Safety comment boxes have been put in the L K P and highway barn. Any comments will go to the safety committee for their review/discussion then Mr. Harvey will pass the information back to the submitter.

RESOLUTION # 300: **ADOPTION OF 2011 DOG KENNEL SPECIAL USE PERMITS**

On a motion of Councilman Tessmer, seconded by Councilman Butzer the following resolution was:

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

Resolved that the eight Dog Kennel Special Use Permit applications be approved for 2011:

Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141

Karen Fedick, 13688 Brewer Road, Collins, NY 14034

Barbara Kinnaird, 13831 Route 62, Collins, NY 14034

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

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

Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070

Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034

Christopher and Mindy Purdy, 12796 Ketchum Road, Lawtons, NY 14091

RESOLUTION # 301: ADOPTION OF #3 – 2010 DOG LICENSING LAW OF THE TOWN OF COLLINS

Motion made by Councilman Gaylord, and seconded by Supervisor Harvey that the proposed Local Law No. 3 – 2010 be adopted.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

2. Resolution to set dog fees**RESOLUTION # 302: SET FEES FOR LICENSING OF DOGS**

Motion made by Councilman Tessmer, seconded by Councilman Butzer, set

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

Whereas, the licensing of dogs is now a local function effective January 1, 2011; and

Whereas; the New York State Animal Population Control Program (APCP) will be administered by a not-for-profit entity selected by the Department consistent with New York's procurement laws.

Now, Therefore Be It Resolved that the Town of Collins charge \$ 5.00 for each altered dog and \$ 10.00 for each un-altered dog.

Be It Further Resolved that in addition to the above fees the Town shall impose a surcharge, as listed in Article 7 of the Agriculture and Markets Law, of \$ 1.00 for each altered dog and \$ 3.00 for each un-altered dog which will be remitted to the Department of Agriculture and Markets for transmittal to the State Comptroller for deposit in the population control fund.

Be It Further Resolved that the Town of Collins will issue Purebred Licenses, fees as follows:

Ten dog base fee	25.00
11 – 20 dogs base fee	50.00
Per dog fee	2.50
Altered dog	1.00
Un-altered dog	3.00

Be It Further Resolved to impose a \$3.00 charge of replacing a lost dog tag.

New Topics – Discussion and Comments

Mr. Harvey will meet with the code enforcement regarding parking in the lots.

Executive Session**RESOLUTION # 303: EXECUTIVE SESSION**

Motion made by Councilman Tessmer, seconded by Supervisor Harvey that this Board moves into an executive session at 8:32 PM to discuss the employment history of a particular person, or relating to the appointment, promotion, demotion discipline or removal.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

RESOLUTION # 304: RETURN TO REGULAR SESSION

Motion made by Councilman Butzer, seconded by Councilman Gaylord that the Board returns to regular session at 9:43 PM.

ADOPTED Ayes 4 Gaylord, Butzer, Tessmer, Harvey
Nays 0

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Tessmer, the meeting was adjourned at 9:43 PM in memory of Roland W. Moppert. Carried unanimously.

