

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 3rd day of January 2011.

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

Others Present: Dennis Jensen Highway Superintendent; Dave and Lois Johnson; Margaret Degenfelder; Richard Clark; Dick Agle and Richard Westland reporter Gowanda Penny Saver News

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

The 2011 Organizational Resolutions were gone through.

Resolution # 1 – 51 **2011 ORGANIZATIONAL RESOLUTIONS**

Motion made by Councilman Gaylord seconded by Councilman Tessmer to adopt the following Organizational Resolutions for 2011:

1. That a Bond in the amount of not less than \$ 100,000.00 be obtained as a blanket undertaking for all Town employees; excepting: the Justices to have not less than \$ 200,000.00 each, the positions of Town Clerk/Tax Collector, Supervisor, Budget Officer and Deputy Town Clerk to have not less than \$ 250,000.00 each.
2. That the Town Clerk retains the amount of \$ 250.00 Petty Cash Fund.
3. That the two Town Justices retain the amount of \$ 50.00 each Petty Cash Fund.
4. That the Town Recreation Program retains the amount of \$ 225.00 Petty Cash Fund.
5. That the Town Senior Recreation Program retains the amount of \$ 200.00 Petty Cash Fund.
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. 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. Authorizing the Supervisor to attend meetings and schools pertaining to the Office of Supervisor with expenses paid.
13. 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.

14. Authorizing the Highway Superintendent to attend meetings and schools pertaining to the Office of Highway Superintendent with expenses paid.
15. Designating the Dunkirk Evening Observer as the Town's official paper and the local Gowanda and Springville Penny Saver News as secondary publications.
16. Setting the salary of the elected Town Supervisor at \$ 16,000.00 annually.
17. That the appointed Deputy Supervisor serves at no additional salary.
18. Setting the salary of the four (4) elected Town Councilmen at \$ 6,000.00 each annually.
19. Appointing Robert Peglowski as Assessor at a salary of \$ 8,365.00 and Salvatore Dicembre as Deputy Assessor at a salary of \$ 7,265.00 annually for 2011.
20. Setting the salaries of the Assessment Board of Review members at \$ 281.00 each annually.
21. Setting the salary of the Attorney for the Town at \$ 11,255.00 annually.
22. Setting the salary of the full-time Town Budget Officer/Bookkeeper at \$ 17.63 per hour.
23. Setting the salary of the elected Town Clerk at \$ 37,785.25 annually.
24. Setting the salary of the appointed Deputy Town Clerk at \$ 11.45 per hour.
25. Appointing Mary Dankert as Dog Control Officer at a salary of \$ 4,390.00 annually.
26. Appointing Dennis Jensen, Highway Superintendent to supervise the transfer station, parks and water department employees of the Town of Collins with the authority to schedule workers in those departments.
27. 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 and an additional amount of \$ 2,000.00 to oversee the parks and water departments; totaling \$ 54,002.24.
28. Setting the salary of the experienced Highway Department workers (Motor Equipment Operators) as follows: Peter Waterman at \$ 21.25 per hour; Nicholas Gernatt at \$ 20.99 per hour and Mark Hobson at \$ 20.75 per hour.
29. Setting the salary of the Highway Department Automotive Mechanic at \$ 20.80 per hour.
30. That the appointed Deputy Highway Superintendent serves at an additional \$ 1,000.00 annually.
31. Authorizing all permanent full-time employees of the Highway and Water Departments to be given up to a maximum of \$ 150.00 for safety apparel allowance.
32. That the Highway Department Laborers be paid \$ 12.00 per hour (if not experienced, \$ 9.00 per hour for the first six months).
33. Setting the salary of the elected two (2) Town Justices at \$ 14,206.00 each annually.
34. Appointing Edith Schell, Rob Gaylord and Robin Mentley as members of the Collins Library Board of Trustees to a five year term to expire December 31, 2015.

35. Setting the salary of the Town of Collins Planning Board Members at \$ 785.00 each annually and appointing Brian Martin to a five-year term to expire December 31, 2015.
36. Setting the salary of the Chairman of the Planning Board at an additional \$ 600.00 annually.
37. Appointing James Musacchio as Town Prosecutor at \$ 3,090.00 annually.
38. Setting the salary of the Registrar of Vital Statistics at \$ 400.00 annually.
39. Appointing the Deputy Town Clerk as Deputy Registrar of Vital Statistics at no salary.
40. Appointing Joan Byrne as Seniors Program Coordinator at \$ 11.70 per hour.
41. Appointing Mary Cummings as Seniors Program Assistant at \$ 9.30 per hour.
42. Setting the salary of Jeff Johnson, Summer Recreation Program Coordinator at \$ 2,625.00 annually.
43. Setting the salary of the Summer Beautification and Recreation Program Youth Workers at \$ 9.30 per hour.
44. Appointing Tammy Utley, Kenneth Tyger, Walter Amacher and Mark Mangano as Transfer Station Attendants at a salary of \$ 9.85 per hour.
45. Setting the salary of Daniel Stroud, Water Maintenance Worker for all water districts at \$ 22.42 per hour and Matthew Wurst, Water Maintenance Worker for all water districts at \$ 19.12 per hour.
46. Appointing Jeffrey Johnson as Youth Service Director at a salary of \$ 7,495.00 annually.
47. Setting the salary of the members of the Zoning Board of Appeals at \$ 115.00 each annually.
48. That the Tax Collector collect a \$ 1.00 surcharge for delinquent taxes for 2011 and \$ 1.00 for extra copies of tax bills.
49. Appointing Becky Jo Summers as the ADA Coordinator, Affirmative Action Officer and Bingo Inspector at no additional salary.
50. To re-adopt the Town Investment Policy.
51. To re-adopt the Town Procurement Policy.
- ADOPTED Aye 4 Butzer, Clark, Tessmer Harvey
Nay 0
Abstained 1 Gaylord on resolution #7 and aye on all others

RESOLUTION # 52: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 53: MINUTES APPROVAL

Motion made by Supervisor Harvey seconded by Councilman Gaylord to approve the minutes of the Monday, December 20th town board meeting.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 54: ABSTRACT APPROVAL

Motion made by Councilwoman Clark seconded by Councilman Gaylord that the bills be paid on abstract #25 for 2010 dated January 3, 2011, vouchers # 981 – 985 and 987 – 1010 for \$ 42,153.23 and abstract #1 for 2011 dated January 3, 2011, vouchers # 1 - 7:

Abstract # 25 - 2010

General – Town Wide	14,780.00	Special Refuse	3,157.79
General - Part Town	576.20	Water District #1	3,354.43
Highway	17,623.48	Water District #3	<u>1,484.96</u>
Special Lighting	1,176.37	Total	\$ 42,153.23

Abstract # 1 - 2011

General – Town Wide	35,290.05	Water District #1	1,275.00
General - Part Town	510.00	Water District #3	<u>1,275.00</u>
Highway	8,480.00	Total	\$ 46,830.05

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Departmental Appointments for 2010

Supervisor Harvey appointed Irvine Gaffney as Town Historian, Susan Gamel as Budget Officer/Bookkeeper 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.

Public Access

David Johnson, President Gowanda Lions Club is looking for a place to put the equipment they loan out. They want to know if the 6th grade classroom is available in the LK Painter Community Center. The building committee will meet with Mr. Johnson and make a recommendation to the board.

Department Reports

Attorney Musacchio submitted Local Law # 3 of 2010.

Code Enforcement submitted their annual report for 2010.

Highway Superintendent reported 43" of snow, received bids for a new sander, the new truck should be here January 25th and a one-way plow is needed.

Planning board is working on zoning laws.

Water committee has two vacancies.

Board Reports

Councilman Gaylord reviewed the vouchers.

Old Business

1. Establish water district advisory committee

RESOLUTION # 55: ESTABLISH WATER DISTRICT ADVISORY COMMITTEE

Motion made by Councilman Gaylord seconded by Councilman Butzer to establish a Water District Advisory Committee (previously Water Commissioners) of three members as per PO17 submitted to Erie County Department of Personnel.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Establish recreation advisory committee

RESOLUTION # 56: ESTABLISH RECREATION ADVISORY COMMITTEE

Motion made by Councilman Gaylord seconded by Councilman Tessmer to establish a Recreation Advisory Committee (previously Parks and Recreation Commission) of five members as

per PO17 submitted to Erie County Department of Personnel.
TABLED

3. Appoint Board of Assessment Review member

RESOLUTION # 57: **APPOINT ASSESSMENT BOARD OF REVIEW MEMBER**

Motion made by Councilman Gaylord seconded by no one to appoint Kevin Ploetz to the Board of Assessment Review for a five year term to expire September 30, 2015.

DEFEATED Aye
Nay

Resolution defeated for lack of a second.

4. Water district refinance

RESOLUTION # 58: **CONTRACT BETWEEN WATER DISTRICTS # 1 AND 3**

Motion made by Councilman Gaylord seconded by Councilwoman Clark to approve a contract regarding the repayment of water district # 3 to #1 and authorize the supervisor to sign the agreement.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

5. Tree Contract

RESOLUTION # 59: **AMEND ORIGINAL TREE CONTRACT**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to amend the original bid award with Birch Grove to include \$ 1,225.00 for spring mobilization fee to bring the total to \$7,175.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

6. Authorize work to price the cost of re-bonding of the water district.

RESOLUTION # 60: **AUTHORIZE WORK ON RE-BONDING OF WATER DISTRICT**

Motion made by Councilman Gaylord seconded by Councilman Butzer to authorize the supervisor to contact Kelly Latham of Fiscal Advisors to continue working regarding the re-bonding of water district # 1 and # 3 at a maximum of four hours at \$ 120.00 per hour.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Resolution needed to approve spending highway funds with Highway Superintendent

RESOLUTION # 61: **APPROVE AGREEMENT TO SPEND HIGHWAY FUNDS**

Motion made by Councilwoman Clark seconded by Councilman Butzer that the Town Board hereby approves entering into agreement with Dennis Jensen, Highway Superintendent for the 2011 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 Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Advertise for planning board member and two water committee members.

RESOLUTION # 62: **ADVERTISE FOR PLANNING BOARD AND WATER COMMITTEE**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to advertise for the Planning Board and Water Advisory Committee in the Gowanda and Springville Penny Savers. A letter of intent and resume are to be received by 4:00 PM on January 20, 2011 at the clerk's office.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Adopt safety manual

RESOLUTION # 63: **ACCEPT TOWN SAFETY MANUAL**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to accept the safety manual.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

4. Authorize extension for completion of wellhead protection project

RESOLUTION # 64: **AUTHORIZE CHANGE ORDER #1 ON WELLHEAD PROTECTION**

Motion made by Supervisor Harvey seconded by _____ to authorize Change Order No. 1 to Birch Grove Landscaping for a new Substantial Completion date of May 15, 2011 and a Final Completion date of June 1, 2011 and authorize the supervisor sign the agreement.

Supervisor Harvey withdrew his motion.

5. Town Board Committee and Liaison appointments:

Liaisons - 2011

Association of Erie County Government, monthly, 3 rd Thursday at 6:00 PM	alternate	Merle Harvey Rob Gaylord
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Helmuth Advisory Board
Jan/Jul/Nov, 1st Thursday at 7:30 PM

Highway Department and Transfer Station	alternate	Mary Clark Alan Butzer
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Northeast Southtowns Solid Waste Management Board (NEST)
Jan/Mar/May/Jul/Sep/Nov, 2nd Thurs. 4:00 PM
Tessmer

Rob Gaylord
alternate David

Parks & Recreation Rob Gaylord

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

Senior Program David Tessmer

Southtowns Planning & Development Group, Jan/Apr/Jul/Oct, 4 th Monday at 6:30 PM	alternate	Merle Harvey Alan Butzer
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Water Department	alternate	David Tessmer Merle Harvey
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Committees - 2011

L K Painter Community Ctr.
Use Rob Gaylord, Merle Harvey

Insurance
Health Insurance Mary Clark, Merle Harvey
Town Insurance

Personnel
Employee Reviews Dave Tessmer, Merle Harvey
Employee Files

Job Descriptions
Employee Handbook Update
Employee ID Badges

Finance

Mary Clark, Alan Butzer, Merle Harvey

Town Codes

Planning Board, Merle Harvey, Alan Butzer

Building, Grounds and
Technology

Town Hall

Rob Gaylord, Merle Harvey, Becky Jo Summers

L K Painter

Mary Clark - alternate

Web Site

Software

Workplace Violence

Water Committee

Dave Tessmer

Merle Harvey - alternate

New Topics – Discussion and Comments

1. Resolution to authorize payment to board members to attend training – boards feels resolution not needed as authorization could be done on a case by case basis.

2. Authorize parks committee to meet with Paul Bowers for park expansion to get an early start – deleted.

3. Recount court clerk wage – A letter was received from the court clerk requesting an increase in pay.

RESOLUTION # 65: **INCREASE SALARY OF COURT CLERK**

Motion by Supervisor Harvey, seconded by no one, to increase the court clerk's salary from \$ 15.00 to \$ 18.00 per hour for 2011.

Motion defeated for lack of a second.

RESOLUTION # 66: **SET SALARY OF COURT CLERK**

Motion by Supervisor Harvey, seconded by Councilman Gaylord to set the salary of the court clerk at \$ 22,000.00 for 2011.

DEFEATED Aye 0

Nay 5 Gaylord, Butzer, Clark, Tessmer, Harvey

RESOLUTION # 67: **SET SALARY OF COURT CLERK**

Motion by Councilman Butzer, seconded by Councilwoman Clark to appoint Anna Schuster court clerk at \$ 15.00 per hour wage for 2011.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Tessmer

Nay 1 Harvey

4. Town clerk assignment to assessors' office – A request was received from Robert Peglowski, Assessor to pay part of the salary from the third assessor to the town clerk for assistance in their office and pay part of the salary for transition salary to the new assessor for training.

RESOLUTION # 68: **ENTER INTO EXECUTIVE SESSION**

Motion made by Councilman Tessmer seconded by Councilwoman Clark that the Board moves into an executive session at 9:21 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

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

Nay 0

RESOLUTION # 69: **RETURN TO REGULAR SESSION**

Motion made by Councilwoman Clark seconded by Councilman Butzer that the Board returns to regular session at 10:35 PM.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 70: **APPOINT CODE ENFORCEMENT OFFICERS**

Motion made by Councilman Butzer seconded by Councilwoman Clark to appoint Gene Degman as Code Enforcement Officer At \$ 7,955.00 annually and Charles Siegle as Assistant Code Enforcement Officer at \$ 5,465.00 annually.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Tessmer
 Nay 1 Harvey

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Tessmer the meeting was adjourned at 10:38 pm.

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 January 2011.

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

Others Present: Dennis Jensen Highway Superintendent; Code Enforcement Officer Gene Degman; Dave and Lois Johnson; Margaret Degenfelder; Wayne Harvey; Richard Clark; Doug Martindale and Scott Williams

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

RESOLUTION # 71: AGENDA APPROVAL

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve the agenda as presented.

DEFEATED Aye 2 Gaylord, Harvey
 Nay 3 Butzer, Clark, Tessmer

RESOLUTION # 72: AGENDA APPROVAL

Motion made by Supervisor Harvey seconded by no one to remove the Old and New Business sections.

Supervisor Harvey withdrew his motion.

RESOLUTION # 73: AGENDA APPROVAL

Motion made by Councilman Butzer seconded by to remove appointing Kevin Ploetz to the Assessment Board of Review from the agenda.

ADOPTED Aye 3 Butzer, Clark, Tessmer
 Nay 2 Gaylord, Harvey

RESOLUTION # 74: MINUTES APPROVAL

Motion made by Councilman Tessmer seconded by Councilman Gaylord to approve the minutes of the January 3rd meeting as amended.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 75: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark that the bills be paid on abstract #26 for 2010 dated January 18, 2011, vouchers # 986 and 1011 - 1041 for \$ 55,479.06 and abstract #2 for 2011 dated January 18, 2011, vouchers # 8 – 27 for \$ 22,192.31:

Abstract # 26 - 2010

General – Town Wide	4,543.54		
General - Part Town	3,639.99	Water District #1	5,160.71
Highway	39,082.31	Water District #3	542.27
Special Lighting	23.73	Well house WD1	<u>2,417.72</u>
Special Refuse	68.79	Total	\$ 55,479.06

Abstract # 2 - 2011

General – Town Wide	6,170.21	Water District #1	2,615.01
General - Part Town	1,381.41	Water District #3	673.57
Highway	8,920.14	Water District #4	<u>2,356.40</u>
Special Refuse	75.57	Total	\$ 22,192.31

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 76: **BUDGET MODIFICATION AND TRANSFERS**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve the following budget modification and transfers:

1. A Fund – Court Grant – 14,751.38

Increase – A3089 – State Aid, Grants	14,751.38
Increase – A1110.400 Court contractual	14,751.38

From	To	\$
A1940.400 Contingency		(15,270.68)
	A1355.400 Assessors Contrtual	1,701.86
	A1340.100 Budget Office	622.48
	A1620.100 Maintenance	3,954.14
	A1620.460 Shared Ser supp	595.54
	A1950.000 Taxes & Assmts on Prog	987.03
	A5132.450 Hwy Water	.93
	A5132.460 Hwy Supplies	16.30
	A7620.400 C Center Sr	86.00
	A7620.420 Sr Travel	<u>7,306.40</u>
		15,270.68
DB5132.200 Highway Mechanic Eq (8,870.12)		
	DB1950.000 Taxes & Assmts on Prop	6.56
	DB5110.100 Hwy Part Town Personal	6,699.21
	DB5142.400 Snow Contractual	1,250.10
	DB9040.800 Workers Comp Ins	<u>914.25</u>
		8,870.12
SR8160.240 Refuse Garbage To Reserve		(2,791.81)
	SR8160.200 Land Rental	100.00
	SR9030.800 Social Security	8.10
	SR9040.800 Workers Comp Ins	
<u>2,683.71</u>		2,791.81
SW3-8320.455 Lagoon Cleaning (1,830.00)		
SW3-8310.435 Testing		(982.19)
SW3-9055.852 Unemployment		(487.00)
SW3-9060.850 Hospital Medical		(685.24)
SW3-8310.415 Office Expense		(287.24)
SW3-8320.425 Tools & Equipment (1,212.33)		
SW3-8340.450 Truck Exp		(815.10)
SW3-9010.850 NYS Retirement		(100.78)
	SW3-8310.125 Personnel	3,978.72
	SW3-8320.415 Light, Heat	285.04
	SW3-8320.445 Meters, Parts	764.07
	SW3-9030.800 Social Security	511.18
	SW3-9040.850 Workers Comp	<u>860.87</u>
		6,399.88
SW4-8320.456 Meters, Parts		(35.39)
	SW4-8310.126 Personal	32.97

SW4-9030.800 Social Security

2.42
35.39

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 1 Butzer

RESOLUTION # 77: BUDGET MODIFICATIONS

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve the following budget modifications for engineering done by Wm. Schutt and Associates PC for Dept of Corrections. Payment was made to Wm Schutt and Associates PC in Abstract # 26 for 2010.

Increase: Revenue – SW1-2142.111 – Other Charges \$2,318.00
Expenditure – SW1-8310.411 – Office Expenses \$2,318.00

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Correspondence

Councilwoman Clark received a letter regarding the grant we submitted for the Recreation Trails Program. The town did not receive the grant.

Board Reports

Councilman Gaylord attended the Recreation Commission meeting on January 11th. They would like another room for crafts, purchased a new cash register and are evaluating the staff. Jeff Johnson requests a \$ 500.00 increase in the HSBC credit card limit and brought up roller skating on Monday nights, starting in March. The program will be budget neutral; there would be Jeff and one staff and a \$.50 fee would be charged.

Mr. Gaylord attended the Prison Advisory Board. At both facilities there are approximately 1,214 employees and 2,432 inmates. Also, he met with Doug Martindale regarding working at the LKP on the heating system and attended the Collins Center Fire Department's Installation Dinner.

Councilman Butzer attended the Helmuth Advisory meeting. Councilwoman Clark is the liaison and Mr. Butzer will also attend the meetings. Mr. Butzer spoke with Birch Grove on the trees and attended the recreation meeting.

Councilman Tessmer attended the NEST meeting and the Collins Center Fire Department's Installation Dinner.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey went to a meeting at the Collins Center Fire Dept regarding the ambulance service and billing and also spoke with Collins. A meeting will be scheduled with all attending. Met with Sharon Mathey regarding the records at the Painter Center. They will be gone through and disposed of. The recreation has requested the use of the computer lab. The hard drives will be taken out of the computer and the computers will be boxed up so they can be gotten rid of. Mr. Harvey attended the Supervisor's meeting and the Collins Center Fire Department's Installation Dinner.

Bids were received on a snow plow:

Valley Fab Equipment of Boston NY:

1. Everest One Plow #4U3730 Model #OWSK9H-HD One Way plow 35" intake 64" discharge 7GA material for \$ 6,653.00
2. American Snow Plow (Frink), #0031-3-26 Model #650-SCK One Way plow 37" intake 63" discharge 7Ga material for \$ 5,960.00

Cyncon Equipment of Rush NY:

1. TCO11T63SRST 11' One Way Plow for \$ 7,467.00

RESOLUTION # 78: PURCHASE SNOW PLOW

Motion made by Councilman Gaylord seconded by Councilwoman Clark to approve the purchase of a 11' One Way Plow from Cyncon Equipment Inc from on state bid for \$ 7,467.00

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 79: AUTHORIZE REPAIRS TO HEATING SYSTEM LKP

Motion made by Councilman Gaylord seconded by Councilwoman Clark to authorize Doug Martindale commence with replacement/repairs of the heating system at the LK Painter Community Center on proposed price estimate of materials on outline as soon as convenient.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 80: ACCEPT VOLUNTEER WORKERS

Motion made by Councilman Gaylord seconded by Supervisor Harvey to accept the offer of David Johnson and Richard Clark to serve as volunteers to work with Mr. Martindale on repairs of the boiler system at the LK Painter Community Center.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Old Business

1. Approval of Change Order #1 - wellhead flood protection project

RESOLUTION # 81: AUTHORIZE CHANGE ORDER #1 ON WELLHEAD PROTECTION PROJECT

Motion made by Supervisor Harvey seconded by Councilman Tessmer to approve Change Order No. 1 to Birch Grove Landscaping for a new Substantial Completion date of May 15, 2011 and a Final Completion date of June 1, 2011 and authorize the supervisor sign the agreement.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Approve establishment of recreation advisory committee

Establish recreation advisory committee

RESOLUTION #82: ESTABLISH RECREATION ADVISORY COMMITTEE

Motion made by Councilman Butzer seconded by Councilwoman Clark to establish the recreation advisory committee pending the immediate submission by Alan Butzer and approval by Erie County Civil Service of a PO17 to reclassify the committee to the parks & Recreation Advisory Committee at an annual stipend of \$605.00 for the chairman, \$505.00 for the secretary and \$405.00 for committee members.

ADOPTED Aye 3 Butzer, Clark, Tessmer
Nay 2 Gaylord, Harvey

4. Annual resolutions

RESOLUTION # 83: APPROVE ANNUAL RESOLUTIONS

Motion made by Supervisor Harvey seconded by Councilman Gaylord to appoint Thomas Raymond to the Zoning Board of Appeals for a five-year term to expire December 31, 2015 and approve the summer recreation head counselors and craft coordinator be paid \$ 9.80 per hour; the counselors be paid \$ 9.30 per hour. The youth services head associate, associate with concession manager responsibilities and craft coordinator associate be paid \$ 10.35 per hour; the associates be paid \$ 9.85 per hour and the probationary associates be paid \$ 9.30 per hour.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Monthly supervisor's report – Oct. & Nov

RESOLUTION # 84: ACCEPT SUPERVISOR'S MONTHLY REPORTS

Motion made by Supervisor Harvey seconded by Councilman Gaylord to approve the October and November Supervisor's reports as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. WNY Water Works Conference, Batavia, NY, Feb. 2

RESOLUTION # 85: **APPROVE ATTENDANCE AT WATER CONFERENCE**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve the attendance of Dan Stroud and Matt Wurst of the water department attend the WNY Water Works Conference in Batavia, NY on February 2nd.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Snowmobiles in park – It was reported that snowmobiles are not staying on the trail in the park. Scott Williams knows member of the Southern Tier Snow Drifters Snowmobile Club and will speak with them about this.

New Topics – Discussion and Comments

1. Lion's Club use of LK Painter Center

RESOLUTION # 86: **AUTHORIZE USE OF LKP ROOM TO GOWANDA LION'S CLUB**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to allow the Gowanda Lion's club use the "DOT" room of the LK Painter Community Center for storage of their health equipment they loan out for as long as we do not have a use for it at no cost subject to a waiver by the Lion's club to be worked out by the attorney for the town.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 87: **APPOINT RECREATION CRAFT COORDINATOR**

Motion made by Councilman Gaylord seconded by Councilwoman Clark to appoint Jamie Krajewski as craft coordinator at a salary of \$ 10.35 per hour.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Senator Galavin

RESOLUTION # 88: **SUPPORT EFFORTS OF SENATOR GALAVIN**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to support the efforts of Senator Galavin to challenge the inmate counts of prison population for redistricting of voting districts.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Increase credit card limit for recreation

RESOLUTION # 89: **AUTHORIZE NEW CHARGE ACCOUNT AND INCREASE LIMIT OF HSBC ACCOUNT**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to establish a credit card for recreation at BJ's with a limit of \$ 500.00 and increase the limit of the recreation credit card (Jeff Johnson's) by \$ 500.00 to \$ 1,500.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Move water billing for assessors

RESOLUTION # 90: **AUTHORIZE CHANGE IN WATER BILLING OF LATE PAYMENTS TO TAX ROLL**

Motion made by Councilman Gaylord seconded by Councilwoman Clark to move the late water billing up one cycle to accommodate the bills be included on the tax roll (from October to June).

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 91: **ENTER INTO EXECUTIVE SESSION**

Motion made by Councilman Gaylord seconded by Councilman Tessmer that the Board moves into an executive session at 9:50 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

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

Nay 0

RESOLUTION # 92: **RETURN TO REGULAR SESSION**

Motion made by Councilman Tessmer seconded by Councilwoman Clark Councilman Butzer that the Board returns to regular session at 10:55 PM.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 93: **AUTHORIZE AD FOR ASSESSMENT BOARD OF REVIEW**

Motion made by Councilman Tessmer seconded by Councilwoman Clark to put an ad in the Gowanda and Springville Penny Saver for the Board of Assessment Review. Deadline is February 3rd.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

With no further business, on a motion of Councilman Tessmer, seconded by Councilman Butzer the meeting was adjourned at 10:53 pm.

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 February 2011.

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

Others Present: Pete Waterman Deputy Highway Superintendent; Code Enforcement Officer Gene Degman; Dave and Lois Johnson; Margaret Degenfelder; Richard Clark; John Bentley; Dick Agle; Wayne Harvey; Scott and Cami Williams and Richard Westlund reporter Gowanda Penny Saver

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

RESOLUTION # 94: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Tessmer, Clark, Harvey
 Nay 0

RESOLUTION # 95: MINUTES APPROVAL

Motion made by Councilwoman Clark seconded by Supervisor Harvey to approve the minutes of the January 18th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 96: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark that the bills be paid on abstract #27 for 2010 dated February 7, 2011, vouchers # 1042 - 1048 for \$ 27,895.54 and abstract #3 for 2011 dated February 7, 2011, vouchers # 28 - 83 for \$ 263,987.19:

Abstract # 27 - 2010

General – Town Wide	22,862.97	Water District #1	452.46
General - Part Town	686.93	Water District #3	<u>135.12</u>
Highway	3,493.22	Total	\$ 27,895.54
Special Refuse	264.84		

Abstract # 3 - 2011

General – Town Wide	14,196.11	Special Refuse	2,071.98
General - Part Town	1,221.14	Water District #1	511.55
Highway	243,783.26	Water District #3	<u>1,015.40</u>
Special Lighting	1,187.75	Total	\$ 263,987.19

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 97: BUDGET MODIFICATION AND TRANSFERS

Motion made by Councilman Gaylord seconded by Councilman Butzer to approve the following budget modification and transfers:

From	To	\$
A1440.400	Engineering Contract	(2,886.88)
	A1620.100 Shared Service Personal	767.99
	A1620.210 Shared Computer Maint	1,606.56
	A1620.460 Shared Supplies	242.33
	A7620.420 Seniors Travel	<u>270.00</u>
		2,886.88

REGULAR MEETING**TOWN OF COLLINS****FEBRUARY 7, 2011 2**

DB5130.210	Hwy Mechanic Equip Reserve	(24,434.73)
	DB5142.400 Snow Contractual	9,244.84
	DB5148.400 Snow Co. Contract.	11,696.07
	DB9040.800 Workers Comp	<u>3,493.82</u>
		24,434.73
SR8160.410	Bag Purchase/Stickers	(506.55)
	SR9040.800 Workers Comp	506.55
B1940.400	Contingency	(16,238.43)
	B7310.103 Beautification Pers	5,053.70
	B7310.401 Summer Recreat Contrcti	2,584.23
	B8010.100 Zoning – Person.	77.20
	B9030.800 Social Security	725.71
	B9040.800 Workers Comp	5,121.68
	B9050.800 Unemployment	<u>2,675.91</u>
		16,238.43
SW1-1420.410	Legal	(5,000.00)
SW1-8310.121	Water Admin Personal	(18,000.00)
SW1-9950.210	Transfer to Reserves	(11,851.18)
	SW1-8310.411 Water Admin Office	29,709.69
	SW1-8320.411 Power, Light, Heat	458.03
	SW1-9040.810 Workers Comp Ins	<u>4,683.46</u>
		34,851.18
SW3-911	Unreserved/Unapprop Fund Balance	(2,404.44)
SW3-8310.425	Collection Bills	(355.76)
SW3-8320.425	Power, Supplies	(122.82)
SW3-9030.810	Medicare	(96.77)
SW3-9010.850	Retirement	(50.76)
SW3-9045.850	Life Insurance	(15.28)
SW3-9055.500	Disability	(24.00)
	SW3-8310.125 Water Personal Services	1,149.55
	SW3-8310.415 Water Admin Office	41.63
	SW3-8310.435 Water Admin Testing	26.78
	SW3-8320.415 Power, Heat, Light	218.01
	SW3-8320.455 Lagoon Cleaning	1,320.00
	SW3-8340.455 Truck Travel	176.04
	SW3-9040.850 Comp. Insurance	135.12
	SW3-9060.850 Hospital & Medical	<u>2.70</u>
		3,069.83

Department Reports

Attorney Musacchio had a conference with the Springwood mobile home park on the assessment case. Code Enforcement handed in their monthly report.

Highway Deputy Peter Waterman reported the water department workers will work 7:30 am to 4pm unless called in early for snow removal. 90" of snow was reported for January. The overhead doors were all fixed.

Parks and Recreation Commission chairman Scott Williams spoke with the president of the snow mobile club regarding the park. They will post it on their website and report at their meeting that all sleds are to stay on the trail.

Town Clerk reported \$ 4,146.5 in sales for last month and the town's portion is \$ 3,993.37.

Board Reports

Councilman Gaylord attended the Assoc of EC Governments meeting and the OSC exit meeting. Councilman Butzer attended the OSC exit meeting, attempted to contact T. Burns of EC Personnel

regarding the PO17 many times and has not gotten a call back and spoke with Attica Package Co regarding wood chips for the park.

Councilman Tessmer met with the water department, attended the OSC exit meeting and drafted a response letter, interviewed the BAR candidate and saw the new truck.

Councilwoman Clark attended the Highway Superintendents meeting, OSC exit meeting, reviewed the vouchers and saw the new truck.

Supervisor Harvey met with Assemblyman Kevin Smardz, received information on electronic recycling, wants to inventory the town's surplus equipment to bid out and attended the OSC exit meeting.

Old Business

1. Wm. Schutt request for fee increase Flavia Lane water project (\$2,500.00). The board would like Paul Bowers contacted for clarification – detailed information.

2. Compensation for town clerk for assistance given to assessors per their request – Assessors Bob Peglowski and Sal Dicembre would like to see the new assessor in before year's end to train. Both assessors asked the supervisor for assistance from the town clerk and that compensation be taken from the third assessor line; also that line could be used to pay the new assessor for training. This would be adding additional duties to the clerk.

RESOLUTION # 98: **APPROVE PAYMENT TO TOWN CLERK FOR ASSESSOR DUTIES**

Motion made by Supervisor Harvey seconded by Councilman Butzer to pay Becky Jo Summers \$1,250.00 for services as an assessor clerk to work as needed by the assessors starting January 1st.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Adoption of Rules of Procedure

RESOLUTION # 99: **ADOPT RULES OF PROCEDURE**

Motion made by Councilman Butzer seconded by Supervisor Harvey to adopt the 2011 Rules of Procedure as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Appointment of Board of Assessment Review member

RESOLUTION # 100: **APPOINT BOARD OF ASSESSMENT REVIEW MEMBER**

Motion made by Councilman Tessmer seconded by Councilman Butzer to adopt the following resolution:

Whereas, the Town of Collin currently has one vacancy on the Board of Assessment Review, and

Whereas, the town personnel committee interviewed applicants on February 7, 2011, and

Whereas, Richard Clark's qualifications meet the requirements of the position.

Now Therefore Be It Resolved that the Collins Town Board appoint Richard Clark to the Position of Board of Assessment Review member, effective February 8, 2011, for the remainder of the term that expires on September 30, 2015.

ADOPTED Aye 2 Butzer,, Tessmer,
Nay 2 Gaylord, Harvey
Abstained 1 Clark

RESOLUTION # 101: **APPOINT BOARD OF ASSESSMENT REVIEW MEMBER**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to appoint Kevin Ploetz to the Board of Assessment Review to expire September 30, 2015.

ADOPTED Aye 2 Gaylord, Harvey
Nay 3 Butzer, Clark, Tessmer

New Business

1. Monthly supervisor's report – December

RESOLUTION # 102: **ACCEPT SUPERVISOR'S DECEMBER 2010 REPORT**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to accept the December 2010 Supervisor's Report.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Town parking lot /sidewalk snow removal procedure – for the library sidewalk, fire lane, town hall lot and sidewalk and the LKP both lots and sidewalks. Either Dan or Matt would come in early to clear the previous areas and the other would come in later. It is a good use of their time for the water workers to plow. The highway, water and town board will get together to discuss.

3. Resolution needed to place ad for transfer station worker.

RESOLUTION # 103: **APPROVE PLACING AD FOR TRANSFER STATION WORKER**

Motion made by Councilwoman Clark seconded by Supervisor Harvey to adopt the following resolution:

Whereas, the Town of Collins operates a transfer station for the convenience of town residents, and

Whereas, the Town employs attendants to facilitate the operation of this transfer station, and

Whereas, due to illness, one of the attendants is unable to continue his employment.

Therefore Be It Resolved that the Town Clerk is authorized to place an advertisement in the Gowanda and Springville Penny Savers for this position. The ad is to run one week in the February 6, 2011 issue, with application to be returned to the Town Clerk no later than 4:00 pm on Wednesday, February 16, 2011.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Topics – Discussion and Comments

1. Process for selecting new town assessor was discussed of where to advertise and if we can get a job description. Supervisor Harvey will contact Joseph Maciejewski, Erie County Real Property Tax Director.

2. OSC audit letter – Councilman Tessmer submitted a letter to the board which he wrote to the OSC to answer their report.

RESOLUTION # 104: **AUTHORIZE LETTER BE SENT TO THE OFFICE OF THE STATE COMPTROLLER**

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

Whereas, the Office of the State Comptroller's (OSC) representatives presented the Collins Town Board with the January 18, 2011, Draft Audit on January 24, 2011, and

Whereas, the Collins Town Board is required to respond to the findings detailed in the draft audit within 30 days of the date of the Draft Audit, and

Whereas, the Collins Town Board is also required to submit a Corrective Action Plan (CAP) to the OSC within 90 days of the date of the Draft Audit.

Now Therefore Be It Resolved that the Town Board authorize the Supervisor to sign the attached Draft Audit response letter and submit it to the OSC before February 18, 2011.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Councilman Butzer asked what the status of the surveillance cameras is. Councilman Gaylord will follow up on the justice court grant.

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Gaylord the meeting was adjourned at 9:25 pm.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 22nd day of February 2011 at 7:30 pm.

Present: Merle Harvey, Supervisor Becky Jo Summers, Town Clerk
Robert Gaylord, Councilman

Absent: David Tessmer, Councilman;
Mary Clark, Councilwoman
Alan Butzer, Councilman

Others Present: Dave Johnson; Scott and Cami Williams and Wayne Harvey

Due to lack of a quorum the meeting was not called to order.

Discussion was held in public.

Gathering ended at 7:30 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 28th day of February 2011 at 8:10 am.

Present: Merle Harvey, Supervisor
Robert Gaylord, Councilman
David Tessmer, Councilman
Becky Jo Summers, Town Clerk
Alan Butzer, Councilman

Absent: Mary Clark, Councilwoman

Meeting called to order at 8:20 am.

RESOLUTION # 105: **ABSTRACT APPROVAL**

Motion made by Councilman Gaylord seconded by Councilman Butzer that the bills be paid on abstract #4 for 2011 dated February 22, 2011, vouchers # 84 – 125 for \$ 43,180.15:

Abstract # 4 - 2011

General – Town Wide	4,210.53	Water District #1	2,848.29
General - Part Town	979.27	Water District #3	2,756.97
Highway	32,062.44	Flavia Circle	<u>148.50</u>
Special Refuse	174.15	Total	\$ 43,180.15

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey the meeting was adjourned at 8:23 am.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 7th day of March 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor
Robert Gaylord, Councilman
David Tessmer, Councilman

Becky Jo Summers, Town Clerk
Alan Butzer, Councilman
Mary Clark, Councilwoman

Also Present: David and Lois Johnson, Dick Agle, Charlie Summers, Peter and Carol Waterman, Scott and Cami Williams, Margaret Degenfelder, Mary Stelley and Richard Westlund reporter Gowanda Penny Saver News

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 106: AGENDA APPROVAL

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

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

RESOLUTION # 107: MINUTES APPROVAL

Motion made by Councilman Tessmer seconded by Supervisor Harvey to approve the minutes of the February 7th meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

The February 22, 2011 meeting was not called to order as a quorum was not in attendance.

RESOLUTION # 108: MINUTES APPROVAL

Motion made by Councilman Butzer seconded by Councilman Gaylord to approve the minutes of the February 28th special meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

RESOLUTION # 109: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Butzer that the bills be paid on abstract #5 for 2011 dated March 7, 2011, vouchers # 126 – 160 for \$ 239,235.69:

Abstract # 5 - 2011

General – Town Wide	14,980.29	Helmuth Fire Control	9,250.00
General - Part Town	1,161.09	Special Refuse	1,391.28
Highway	11,598.79	Water District #1	529.76
Collins Fire District	180,318.27	Water District #3	<u>135.12</u>
Rosenburg Fire District	18,798.00	Total	\$ 239,235.69
Special Lighting	1,073.09		

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

Councilwoman Clark arrived at 7:05 pm.

RESOLUTION # 110: APPROVE PRE-PAYS

Motion made by Councilman Butzer seconded by Supervisor Harvey to approve pre-paying the following two bills:

1. NYS Sales Tax – quarterly return for recreation program \$ 179.88
2. NYS Electric and Gas for street lighting 60.46

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Abstained 1 Clark Nay 0

RESOLUTION # 111: **APPROVE TRANSFER TO RESERVES**

Motion made by Councilman Butzer seconded by Councilman Tessmer to approve the following transfers to reserve:

1. From DB9950.900 Transfer to Reserves	To: DB202 Reserves	\$ 2,250.00
2. From: DB9950.900 Transfer to Reserves	To: DB202 Reserves	\$ 20,000.00

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Reports

Code Enforcement Officer Degman submitted his monthly report.

Highway Deputy Superintendent Waterman reported 50" of snow in February and 173" for the season.

Parks and Recreation – Scott Williams reported roller skating started tonight.

Town Clerk Summers reported \$3,516.50 income for February with \$ 3,430.66 the town's portion

Water – district #1 well on Taylor Hollow tested above the limit for chloral methane. A second sample was taken for subsequent testing.

Board Reports

Councilman Gaylord attended the Correctional Facility Community Advisory Board Meeting, LKPCC building committee meeting, recreation meeting and the Collins Fire Department installation dinner. Mr. Gaylord checked with Albany on the JCAP grant; which has been approved locally.

Councilman Butzer has requested quotes for security cameras, has been going back and forth with Erie County Department of Personnel on the PO17 and reviewed the vouchers.

Supervisor Harvey met with Doug Martindale regarding the LKP. The cleaner will be put on a daily work log system, will contact Jim Hall to work on grants for the town and maybe refurbish tables, ceiling, fire alarm boxes and exit doors. National Grid will pay 70% of the cost of new energy efficient lighting. Mr. Harvey attended the Southtowns Transit meeting, Assoc. of E C Governments, fire company meetings regarding the Gowanda Ambulance and the Collins Volunteer Fire Department installation dinner.

Old Business

1. Wm Schutt request for fee increase – Cayuga Excavating is a new company with many experienced workers. The highway crew did not want to plow while the construction is going on.

RESOLUTION # 112: **APPROVE INCREASE IN ENGINEERING FEES**

Motion made by Supervisor Harvey seconded by Councilman Tessmer to increase engineering fee by \$ 2,500.00 on the Flavia Lane water project.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Approve contract with RCR & R

RESOLUTION # 113: **APPROVE ELECTRONIC EQUIPMENT DISPOSAL CONTRACT**

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

Whereas, the Town of Collins has been looking for a place to dispose of old electronic equipment, and

Whereas, the Town of Collins is also concerned about the misplacement of data and old information this equipment might contain, and

Whereas, Regional Computer recycling and Recovery Company will provide the town with electronic equipment disposal service and are a NYS certified Data Scrubber, to prevent misplacement of information from equipment.

Therefore, Be It Resolved, that the board authorize the supervisor to sign a contract to enter into an agreement with Regional Computer Recycling and Recovery for the disposal of old electronic

equipment at no cost to the town except for items weighing over 100 pounds; which will be at a cost of \$.25 per pound. Contract is subject to review by attorney for the town.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Surplus computer equipment:

RESOLUTION # 114: **APPROVE DISPOSAL OF SURPLUS ELECTRONIC EQUIPMENT**

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

Whereas, the town has a great deal of broken, out-dated and unusable electronic equipment, and

Whereas, a great deal of this equipment came to us through the purchase of the LK Painter Community Center.

Therefore, Be It Resolved, the Town Board declares the following list of equipment surplus to be disposed of through out town electronic recycler.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. HSA contribution

RESOLUTION # 115: **APPROVE HEALTH SAVINGS ACCOUNT CONTRIBUTION**

Motion made by Councilman Gaylord seconded by Councilman Butzer to wit:

Whereas, the town has a set limit of contribution to employees insurance, and

Whereas, as the town has agreed to contribute to our employees HSA.

Be It Therefore Resolved, the town will contribute to the employees HSA at the same rate in 2011 as it was in 2010; which is single \$ 1,020.00 and two people and families \$ 2,040.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Planning board appointment

RESOLUTION # 116: **APPROVE PLANNING BOARD APPOINTMENT**

Motion made Councilman Tessmer by seconded by Supervisor Harvey to wit:

Whereas, the town desires to have all boards and committees to operate with a full contingent of members as designated, and

Whereas, the town planning board has been operating one member short for sometime.

Therefore, Be It Resolved that Joan Fallon is appointed to the planning board for the vacant five-year term ending December 31, 2012 at the prorated stipend of \$785.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Transfer station attendant appointment

RESOLUTION # 117: **APPROVE TRANSFER STATION APPOINTMENT**

Motion made by Councilman Tessmer seconded by Councilwoman Clark to wit:

Whereas, the town needs to hire a transfer station attendant due to the health resignation of one of our present attendants, and

Whereas, the personnel committee has interviewed all applicants and agreed on a single person.

Be It Therefore Resolved, that Scott Bove is hired as a transfer station attendant at the current rate of pay.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Water committee appointment

Four applications were received for the two positions on the water committee. Supervisor Harvey appointed David Johnson and Wayne Harvey to those two positions.

5. BAR appointment

RESOLUTION # 118: APPROVE BOARD OF ASSESSMENT REVIEW APPOINTMENT

Motion made by Councilman Tessmer seconded by Councilwoman Clark to wit:

WHEREAS, The Town of Collins currently has one vacancy on the Board of Assessment Review, and
WHEREAS, The Town Board has been unable to appoint a candidate from the applicants interviewed, and

WHEREAS, The Town received a letter of interest from Mary Stelley, and

WHEREAS, Mary Stelley's qualifications meet the requirements of the position.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board appoint Mary Stelley to the position of Board of Assessment Review member, effective March 8, 2011, for the remainder of the term that expires on September 30, 2015.

ADOPTED Aye 3 Butzer, Clark, Tessmer
 Nay 2 Gaylord, Harvey

6. Approve sales tax allocation from 2010 Revenues

The town budgeted \$515,000.00 but received \$592,377.31. The additional amount \$77,377.31 is to be split as follows:

B7110.220	\$10,000.00 to Parks
B1940.400	\$ 25,000.00 to Contingency
DB1120	\$ 42,377.31 to Sales Tax Revenue

RESOLUTION # 119: APPROVE SALES TAX ALLOCATION

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve allocating the additional sales tax money to:

B7110.220	\$10,000.00 to Parks
B1940.400	\$25,000.00 to Contingency
DB1120	\$42,377.31 to Sales Tax Revenue

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

7. Contract extension Cayuga**RESOLUTION # 120: APPROVE CONTRACT EXTENSION FOR FLAVIA LANE WATER PROJECT**

Motion made by Councilman Tessmer seconded by Councilwoman Clark to approve

Whereas, the town has contracted with Cayuga Excavating Inc. for the Flavia water Project, and
Whereas, the contractor has requested an extension for a substantial completion date from January 15, 2011 to May 31, 2011, and

Whereas, as Wm. Schutt Associates PC as recommended this extension because of the early on-set of winter and objections of highway maintenance crews.

Therefore Be It Resolved the board approves the extension and authorizes the supervisor to sign the request for the substantial completion date change from January 15, 2011 to May 31, 2011.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

New Topics

1. Summer Recreation program: a sign needs to be put up at the Collins Center park showing hours and rules. Pete Waterman will get some quotes on signs. The Recreation Commission would like more room at the LKP. The committee will look into re-configuring the room usage layout. Gary Kwiatkowski of the Parks and Recreation Commission is putting together information for the website. Supervisor Harvey asks for ideas for the parks expansion. Scot Williams, Chairman of P & R Commission suggests getting residents together to build items in the parks after obtaining plans. Councilman Gaylord asks if the town engineer would have plans and Supervisor Harvey thought they would and stated some lumber yards have stamped plans. Councilman Tessmer said the Collins Center Park should not be forgotten.

RESOLUTION # 121: ADVERTISE FOR SUMMER HELP

Motion made by seconded by Supervisor Harvey to approve placing an ad in the Gowanda and

Springville Penny Savers for summer help with deadline Monday, March 25, 2011 at 4:00 PM.

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

 Nay 0

Dog Shelter agreement with our DCO is automatically renewed each year unless either party wants to change or cancel the agreement.

The Collins Volunteer Fire Company would like the use the LK Painter Community Center parking lot for the Corned Beef and Cabbage dinner on Thursday, March 17th. All were in agreement.

Attorney Musacchio asks Dave Johnson, President of the Gowanda Lion's Club to send a letter to the town board accepting their offer to store their 'loanable' equipment in a room at the L K Painter Community Center and the Town of Collins is not held responsible if anything is damaged.

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey the meeting was adjourned at 8:30 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 21st day of March 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor
Robert Gaylord, Councilman
David Tessmer, Councilman

Becky Jo Summers, Town Clerk
Alan Butzer, Councilman
Mary Clark, Councilwoman

Also Present: David and Lois Johnson, Dick Clark, Dick Agle, Seward Palls, Elizabeth and Anthony Scanio, Amy Fantaske, Susan Flaherty, Thomas Fantaske, Robert Thompson II, Paul Embs, Edna Butzer, Margaret Degenfelder and Richard Westlund reporter Gowanda Penny Saver News

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 122: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 123: MINUTES APPROVAL

Motion made by Councilman Tessmer seconded by Councilman Butzer to approve the minutes of the March 7th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 124: ABSTRACT APPROVAL

Motion made by Councilwoman Clark seconded by Councilman Butzer that the bills be paid on abstract #6 for 2011 dated March 21, 2011, vouchers # 161 – 205 for \$ 58,972.38:

Abstract # 6 - 2011

General – Town Wide	7,500.25	Water District #1	3,127.90
General - Part Town	1,292.28	Water District #3	688.40
Highway	41,577.52	Flavia Circle WD1	<u>2,589.94</u>
Special Lighting	23.73	Total	\$ 58,972.38
Special Refuse	2,172.36		

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Public Access

A number of residents gave a presentation on hydro-fracking and what it can do to the water supply. Brochures were given to the board.

Lois Johnson asked if the board was going to comment on the OSC report of the town audit. Supervisor Harvey will comment on the report at the end of the meeting.

Board Reports

Councilman Gaylord attended the library board meeting, EC Legislator Mills' hot dog roast to benefit the library will be June 18th, 11:00 am to 2:00 pm; attended the recreation committee meeting. The skating program was pretty well attended. Mulch in the parks was discussed that it was not figured for the correct amount to be used. The insurance should be checked out. Mark Mangano who was hired to help Matt Wurst in the parks is requesting a raise. Mr. Wurst would like to start April 18th working in the parks. The committee is looking into fees for the summer program. Last year each attendee paid \$20.00 which included a t-shirt and out of towners pay \$5.00 per day with a limit of 10 days.

Councilman Butzer said Erie County Personnel said the positions of commissioners were never taken off the roster and those positions can continue as we did not have to do anything.

Councilman Tessmer will have the correction action plan regarding the OSC audit this week for the board.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey reported the JCAP grant was approved for the alarm and cameras for the town hall; the computer recycler picked up the old computers; attended the Helmuth Chiefs Council and met with National Fuel regarding fracking.

Old Business

1. Job description of Sole-appointed Assessor

RESOLUTION # 125: **APPROVE AD FOR SOLE-APPOINTED ASSESSOR**

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

Whereas the town has changed from three elected assessors to a sole appointed assessor, and

Whereas, the board must establish the new position with Erie County Civil Service Department.

Therefore Be It Resolved that the board authorize the supervisor to work with the county civil service to eliminate the three positions of elected assessors and submit a PO17 to create the new position of sole appointed assessor work with the county civil service department.

Be It Further Resolved that the board authorizes the supervisor to advertise the position for two weeks in the Buffalo News, Dunkirk Observer and local penny savers and list the Erie County Real Property Director Joseph Maciejewski, with application a resumes to be returned by April 15, 2011 with salary commensurate with experience and qualifications.

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

Nay 0

New Business

1. Gowanda Chamber's Music in the Park

RESOLUTION # 126: **AUTHORIZE EXPENSE TO MUSIC-IN-THE-PARK SERIES**

Motion made by Councilman Gaylord seconded by Councilman Tessmer to approve the following resolution:

Whereas, the Gowanda Area Chamber of Commerce annually request financial support for the Music-In-The-Park series, and

Whereas, this series of events is open to all our town residents and enjoyed by many, and

Whereas, we have supported this series of events for several years.

Now, Therefore Be It Resolved, that the town of Collins donate \$400.00 to the Gowanda Area Chamber of Commerce's Music-In-The-Park Series for the year 2011.

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

Nay 0

2. Purchase of town park benches and equipment

RESOLUTION # 127: **APPROVE PURCHASE OF PARK BENCHES AND MOWING EQUIPMENT**

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

WHEREAS, the Town's Recreation Committee has reviewed and recommended to the Town Board the purchase of equipment and supplies in the furtherance of the maintenance, safety and improvement of the Town Parks.

NOW, THEREFORE BE IT RESOLVED that as many new metal benches as possible be purchased with a total amount not to exceed \$1,999, including shipping, be approved, and,

BE IT FURTHER RESOLVED that the supplies necessary for the proper installation of said benches be purchased in an amount not to exceed \$1,400, be approved, and

BE IT FURTHER RESOLVED that the purchase of power hand push mower and power leaf blower also be purchased in a total amount not to exceed \$800 be approved.

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

Nay 0

3. Award contract for camera for town hall – There was a price increase in the surveillance system from the original quote. Councilman Gaylord contacted JCAP asking if they would cover the increase and was told no. Discussion of having another screen placed in the clerk's office. Mr. Gaylord will contact Paul Bender to come to a meeting.

4. Approve Sue Gamel attend accounting seminar

RESOLUTION # 128: **APPROVE BOOKKEEPER ATTENDANCE AT SEMINAR**

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

Whereas, the town employs a bookkeeper to handle the financial books of the town, and

Whereas, many new procedures are updated and implemented.

Now Therefore Be It Resolved that Susan Gamel is authorized to attend, with expenses paid, the seminar presented by Freed, Maxick and Battaglia's Laura Landers (Town's Accountant) on Friday, March 25th at the Batavia City Centre covering GASB-54 - Fund Balance Reporting and Governmental Fund Type Definitions and The Municipal Credit Crisis and It's Effect on the Municipal Bond Market.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

5. Ball park sand

RESOLUTION # 129: **APPROVE PURCHASE OF SAND FOR BALL DIAMONDS**

Motion made by Councilman Gaylord seconded by Councilwoman Clark to approve the purchase of ball diamond sand for the town's ball diamonds at a cost not to exceed \$600.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Now Topics – Discussion and Comments

1. Roller Skating Monday night

RESOLUTION # 130: **APPROVE RECREATION MONDAY NIGHT ROLLER SKATING**

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

Whereas, the town board utilizes a committee on park and recreation in an advisory capacity, and

Whereas, the committee has recommended the extension of recreation to Monday nights for roller skating.

Be It Further Resolved, that the board accepts the recommendation of the committee and authorized the recreation director to implement the roller skating program on Monday nights at a budget neutral cost and reports back to the board on its participation level.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Gowanda Ambulance

RESOLUTION # 131: **APPROVE REQUEST OF GOWANDA AMBULANCE SERVICE**

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

Whereas, the Gowanda Ambulance Service as an all volunteer organization has provided contracted service to the Town of Collins for many years, and

Whereas the town no longer has a contract with the Gowanda Ambulance Service, and

Whereas the Gowanda Ambulance Service is no longer an all volunteer organization but rather has a paid staff with volunteer back-up.

Therefore Be It Resolved that the Town of Collins request the Gowanda Ambulance Service to provide 911 services to the Town of Collins. The board also request that the Gowanda Ambulance Service operates with representatives appointed for each town and village with the original Certification of Incorporation.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

There are three Collins residents on the ambulance board: James Eddy, Karen Volk and Norm Peters. Mr. Peters does not want to be on the board anymore. To get town-wide coverage it was suggested of having a resident from Collins Center way be the representative to take Mr. Peters position.

Supervisor Harvey stated there is a copy of the OSC audit report for review in the clerk's office and online at the OSC website. The report covered two areas:

1. the repayment of the loan from district #1 to district #3 – a payment schedule has been instituted and the first payment has been made.
2. the loss of water from district #3 – the board approved the expenditure for a overflow system. Dan Stroud and Matt Wurst made adjustments last year that cut in half the water loss. Councilman Tessmer reported he and the water department have met with a company that will design a system to handle this. We want the right system to address the problem.

Mr. Harvey spoke with Gene Degman, code Enforcement Officer regarding the alarm system at the LKP. A log book needs to be kept.

The town advertised for a disaster coordinator and did not get any response. A few people have approached the supervisor about the position and maybe we should interview them.

Regarding the PO17 for the Water and Recreation Committees, Mr. Harvey stated we never had the positions of the water and recreation commissions with the Erie County so the town could not pay them. The town submitted the PO17's as advisory boards so they could be paid. Councilman Butzer will check with the county as he and Supervisor Harvey are getting conflicting reports from there.

With no further business, on a motion of Councilman Gaylord, seconded by Councilman Tessmer the meeting was adjourned at 9:13 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 4th day of April 2011 at 7:00 pm.

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

Also Present: Wayne Harvey, David Johnson Water Commissioners; Pete Waterman Deputy Highway Superintendent; Thomas Siegle Chairman Planning Board; Gene Degman, Charlie Siegle Code Enforcement Officers; Lois Johnson, Dick Clark, Richard Agle, Carol Waterman; Scott and Cami Williams; Margaret Degenfelder and Richard Westlund reporter Gowanda Penny Saver News

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 132: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 133: MINUTES APPROVAL

Motion made by Councilman Tessmer seconded by Supervisor Harvey to approve the minutes of the March 21st meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 134: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark that the bills be paid on abstract #7 for 2011 dated April 4, 2011, vouchers # 206 – 244 for \$ 51,266.04:

General – Town Wide	25,729.07	Special Refuse	541.91
General - Part Town	1,246.17	Water District #1	1,281.47
Highway	17,603.00	Water District #3	1,019.68
Collins Fire District	387.78	Library	50.95
Special Lighting	1,098.83	Special Water Dist #4	<u>2,238.00</u>
Helmuth Fire Control	69.18	Total	\$ 51,266.04

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Public Access

Dick Clark asked about the repairs to the heating system at the LKP as he and Dave Johnson have not heard anything about helping with the repairs. Supervisor Harvey stated Doug Martindale has been working at the center when someone is there.

Linda Munro asked about the per-tap fee on the water bills for the Collins Center residents and also stated she went through her bills and believes she has paid for 11,000 gallons and billed for only 10,000 gallons; and paid for 13,000 gallons and billed for 12,000. Mrs. Munro asked if the town is going to allow fracking. Mr. Harvey said it is up to the DEC.

Dominic Callandra of Senator Patrick Gallivan's office introduced himself as our representative.

Reports

Code Enforcement Officer Gene Degman handed out his March 2011 report.

Highway Deputy Superintendent Waterman reported they are sweeping roads; will help pump the lagoon; receiving bids for a new compactor box. Four loads of trash were hauled from the last trash day.

Planning board will meet next week and are working with Gernatt Gravel on the mining permit.

Town Clerk Summers reported \$5,061.25 in sales for last month with the town's portion \$ 4,166.74.

Parks and Recreation Chairman Scott Williams asked about the signs they requested be put up in the parks. Matt Wurst is looking into it.

Board Reports

Councilman Gaylord attended the Prison Advisory Board meeting.

Councilman Butzer stated we may lose \$80,000.00 in sales tax revenue account of the decrease in population; reviewed the fracking papers and send emails to Erie County Department of Personnel regarding the PO17.

Councilman Tessmer asked Pete Waterman about the pump for the bulk water sales and they are working on it. Mr. Tessmer drafted the response letter to the OSC regarding the audit and received salary information on the assessing position.

Councilwoman Clark has met with the highway department and has set up to meet with them monthly.

Supervisor Harvey reported we received a check from the sales tax distribution from the county; stated the wellhead protection project was to start today, the Flavia Circle project will start soon and attended a meeting on anti-fracking at the Gowanda Library. The Erie County Health Department has inspected the LKP kitchen.

The water committee met Wednesday and will change the time of their meeting to 7:00 pm on the Wednesday night before the first Monday town board meeting. They recommend the town proceed with a scaled down scada system. The current bids we have are not for just the controller, which is the way they want to go.

Old Business

1. Response to the Office of the State Comptroller

RESOLUTION # 135: **OFFICE OF STATE COMPTROLLER RESPONSE**

Motion made by Councilwoman Clark seconded by Supervisor Harvey to authorize the supervisor to sign and send the response letter to the Office of the State Comptroller.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

2. Cameras for town hall – Councilman Gaylord explained the increase in price and recommend going forward with the project and feels the grant and the \$ 2,000.00 from the councilmembers salary will give a good system. Councilman Tessmer said what started as a camera surveillance system has evolved to a security system and as it stands should be increased to cover the other two doors and the windows. Councilman Gaylord said the court administration suggested the panic button for the court and said he will check on a revamp of the system. Supervisor Harvey said the fax line could be used for both panic

RESOLUTION # 136: **AWARD ADT BID TO SUPPLY SECURITY SYSTEM**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to award the bid to ADT for the installation of the SECURITY SYSTEM IN THE AMOUNT OF \$3,254.00

DEFEATED Aye 2 Gaylord, Harvey
 Nay 3 Butzer, Clark, Tessmer

New Topics

1. Water Committee meeting schedule was handed out – meetings will be held at 7:00 pm on the Wednesday before the first town board meeting.

2. Fracking issue – the group opposed to the fracking will be coming to a future meeting and wants an ordinance denying fracking. The horizontal fracking they are talking about is under a moratorium in New York State.

3. Southtowns Intercommunity transportation committee public survey was received to be put out to the public. Supervisor Harvey will check on the cost to put the surveys in the pennysaver and email to the board.

4. Drainage improvement at town hall – the bid was approved last year to have the work done. Supervisor Harvey will contact Paul Bowers of Wm. Schutt and Associates. Russo Development was contacted and they will do the work for the approved cost this spring.

Supervisor Harvey will now be the board liaison to the highway department.

With no further business, on a motion of Councilman Tessmer seconded by Supervisor Harvey the meeting was adjourned at 9:25 am.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 18th day of April 2011 at 7:00 pm.

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

Also Present: Wayne Harvey Water Commissioner; Lois Johnson, Dick Clark, Scott Williams; Matt Wurst; Norm Peters; Margaret Degenfelder and Richard Westlund reporter Gowanda Penny Saver News

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 137: AGENDA APPROVAL

Motion made by Councilman Tessmer seconded by Supervisor Harvey to approve the agenda with additions.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 138: MINUTES APPROVAL

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve the minutes of the April 4th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 139: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Supervisor Harvey that the bills be paid on abstract #8 for 2011 dated April 18, 2011, vouchers # 245 – 298 for \$ 57,990.68:

General – Town Wide	6,392.11	Water District #3	15,520.18
General - Part Town	1,967.31	Water District #4	22.75
Highway	5,956.41	Well House WD1	148.25
Special Lighting	23.73	Flavia Circle WD1	<u>820.50</u>
Special Refuse	2,348.07	Total	\$ 57,990.68
Water District #1	24,791.37		

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Two vouchers were received from two different employees for mileage that included 2010 and 2011. These two will be paid but the employees will sign a paper that if they are not submitted timely in the future, they will not be paid.

Board Reports

Councilman Gaylord attended the recreation meeting April 12th, met with the building committee and attended the Spirit of Gowanda dinner.

Councilman Butzer still has not received a response from Erie County Personnel so he contacted the EC Executive, emailed board members the introduction he wrote for the web page and asked for contract information and for picture to be put on the website.

Councilwoman Clark reviewed the vouchers, attended the chamber dinner and spoke with the highway department on the budget and sweeping roads.

Supervisor Harvey spoke with Dan Stroud about some issues with the well house project, the Flavia Circle project was to start Monday, Paul Bowers will work on change order paperwork.

Attorney Musacchio reported the planning board discussed the Gernatt Gravel permit where they want to modify the frontage. The planning board recommends the modification pending

approval of the DEC and a SEQR be done.

Old Business

1. Award contract for cameras for town hall – Councilman Gaylord will get more information.
2. Southtowns Intercommunity Transportation Committee Public Survey – It would cost \$ 148.00 per 1,000 surveys to insert them into the penny saver plus the cost of the printing. Supervisor Harvey will check with the penny saver on Tuesday
3. Mark Mangano – The personnel committee met with Mark regarding the work in the parks. Matt Wurst may be doing other things to save the town money from hiring it done and he will need someone to supervise the beautification workers and fill in for Matt to do other jobs in the parks.

Justice Norm Peters asked if the increase was in the budget as he has put in for a raise for the court clerk the last four years and was not given. She gets more work to do from the court administration. Mark Mangano can only work a total of 1,040 hours per year in the parks and transfer station.

RESOLUTION # 140: INCREASE IN PAY FOR PARKS DEPARTMENT WORKER

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

WHEREAS, Mark Mangano has been employed by the Town of Collins since 2005, and
WHEREAS, in 2010 the Collins Town Board increased Mark's responsibilities to include annual assistance in the Parks Department from April 15 – October 15, to provide coverage before and after the summer beautification program, and

WHEREAS, Mark has demonstrated his ability to competently and independently complete these tasks and supervise our summer beautification employees, which will further allow Matt Wurst to complete additional tasks for the Parks Department and relieve him of some of his supervisory duties, and

WHEREAS, Mark's supervisors have expressed satisfaction with his performance in these additional responsibilities and given a recommendation for an increase in his salary.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins authorize an increase in Mark Mangano's hourly wage from \$11.00 per hour to \$12.00 per hour effective April 18, 2011.

ADOPTED Aye 3 Butzer, Clark, Tessmer
Nay 2 Gaylord, Harvey

4. Approve pay schedule for additional duties of town clerk

RESOLUTION # 141: SET PERIOD OF PAY FOR ADDITIONAL CLERK DUTIES

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

Whereas, the assessors asked the supervisor for assistance from the town clerk and that compensation be taken from the third assessor line, and

Whereas, the board approved payment of \$ 1,250.00 to Becky Jo Summers, Town Clerk for services as an assessor clerk for six months.

Now therefore Be It Resolved that the payment of \$ 1,250.00 be split up for the remaining pay periods in the first six months of this year.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Community Day – Scott Williams, recreation committee chairman explained Jeff Johnson's idea of a proposed 4th of July weekend to benefit the Collins Youth Center. He asks that he be given a budget to work with and all money made would be reimbursed back to the recreation program. The idea of asking for sponsors came up. All felt it is ok to explore this further.

2. Beautification and recreation staff for summer program (7/5 – 8/12)

RESOLUTION # 142: **RECREATION AND BEAUTIFICATION HIRES**

Motion made by Councilman Gaylord seconded by Councilman Butzer to approve the following:

Head Counselors at \$9.80 per hour: Jamie Krajewski – Collins, Haley Ploetz – Collins Center

Craft Coordinator at \$ 9.80 per hour: Amanda Zittel

Counselors at \$9.30 per hour: Kayleigh Degenfelder, Matthew Grudzien, Sean Mammoser,

Christian Peglowski, Jane Robertson, Rebecca Russell and Jamie Wallschlaeger

Beautification at \$ 9.30 per hour: Jeremiah Davis, Robert Krajewski and William Robertson

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

Nay 0

3. Advertise again for additional recreation positions – An ad was previously placed in the penny saver for recreation attendants and the commission was able to recommend hiring just enough staff. They ask that the ad be ran again as there is no extra staff for substitution.

RESOLUTION # 143: **APPROVE AD OR RECREATION STAFF**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to place an ad the next two weeks (April 24 and May 1) in the penny saver for recreation counselors. Deadline is 4:00 pm Friday, May 6, 2011.

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

Nay 0

4. Association of Town Finance School

RESOLUTION # 144: **ATTENDANCE APPROVAL FOR FINANCE SCHOOL**

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

Whereas, the Association of Town and the NYS Office of the State Comptroller annually co-sponsors a town finance school, and

Whereas the Annual finance School is being May 4 – 6, 2011 in Rochester, and

Whereas, I as supervisor plan on attending, and

Whereas, last year my budget officer attended the school.

Therefore Be It Resolved in the event the supervisor for some reason is not able to attend that Sue Gamel, the budget officer is authorized to attend in the supervisors place or both can attend with expenses paid but not to include motel rooms the night before.

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

Nay 0

5. Draft Animal Day

RESOLUTION # 145: **DECLARE MAY 1, 2011 AS DRAFT ANIMAL DAY**

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

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 1, 2011 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 Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nay 0

New Topics – Discussion and Comments

1. June 1 – 30 Wellhead extension

2. Appointed assessor – applications will be copied for the board and interviews will be set up.
3. Pro Act Med cards available at town hall
4. Lower speed limit on Brewer Road – A resident of Brewer Road requested a reduction in the speed.
5. Accident report was filed at the LK Painter Community Center. A table in the gym fell out of the wall

RESOLUTION # 146: **ALLOW LITTLE LEAGUE BASEBALL USE OF LKP IN BAD WEATHER**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to allow the little league baseball use the LK Painter Community Center in bad weather for practice. The fee will be waived and the schedule is to be worked out.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

With no further business, on a motion of Councilman Tessmer seconded by Supervisor Harvey the meeting was adjourned at 9:58 am.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 2nd day of May 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor David Tessmer, Councilman
 Robert Gaylord, Councilman James Musacchio, Attorney for the Town
 Mary Clark, Councilwoman Joanne Kibler, Deputy Town Clerk
 Alan Butzer, Councilman Susan Gamel, Account Clerk

Absent: Becky Jo Summers, Town Clerk

Also Present: Highway Superintendent Jensen, Code Enforcers Degman and Siegle, Dick Clark, Margaret Degenfelder, Richard Westlund reporter Gowanda Penny Saver News and Accountant Laura Landers for presentation of the Town's 2010 Annual Report

Meeting called to order at 7:35 pm with the pledge to the flag after a delay with the courtroom.

RESOLUTION # 147: AGENDA APPROVAL

Motion made by Butzer, seconded by Clark to approve the agenda as presented with additions.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 148: MINUTES APPROVAL

Motion made by Tessmer, seconded by Harvey to approve the minutes of the April 18th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 149: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilmember Clark that the bills be paid on abstract #9 for 2011 dated May2, 2011, vouchers # 299 – 320 for \$ 62,212.27: \$659.50 for paints and supplies for the Highway which were on sale.

General – Town Wide	13,858.64	Water District #1	582.64
General – Part Town	1,397.86	Water District #3	149.76
Highway	4,248.74	Library	39,000.00
Special Lighting #1	942.55		
Special Refuse	2,032.08	Total	\$ 62,212.27

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 150: PRE-PAY APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Butzer to pre-pay a highway bill #321 for paints supplies \$659.50 subject to additional amount.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Reports of Department Heads and Consultants

Accountant Laura Landers presented 2010 Annual Financial Report and Audit for the Town of Collins with much enthusiasm of its positive results and its completion (upon receipt of the signed disclaimer from the Town Clerk and the Court).

Councilman Gaylord - prepared list of fixes for Painter Center & parking lot, Martindale invaluable for maintenance, recreation counselor applications in for review.

Councilman Butzer-had requests for a Park regulations sign, No Smoking can be painted on cans, PO1Ms for County personnel in process for recreation counselors.

Councilman Tessmer – all water- haulers letters of procedure have been mailed, metered hydrant in place, keys made.

Councilwoman Clark- vouchers reviewed, read letter from a family new to the community very pleased with Town's 2010/2011 Recreation programs as being professionally run with a perfect setting for her children to meet friends in a new town.

Supervisor Harvey mentioned repeatedly animal feces has been found disposed of at the transfer station

Code Enforcement Officers Degman and Siegle issued building permits #2541-2544 totaling assessed value \$73,500.00.

Highway Superintendent Jensen - completed installation of meter for Water hauler's use on Palmerton and that a hasp is needed but adoption of "procedure" is necessary to complete the process. He is getting millings for Richardson to Taylor at a cost of \$2,600.00. Awaiting third bid for purchase of one trash bin as both are 16 yrs old. All truck plows have been removed and stored for the summer. Recreation Supervisor Hutchinson is scheduling a meeting for flood policies.

Town Clerk's department – reported \$4,629.50 sales and the Town's share \$3,881.74.

Old Business

1. Camera

[Because the questions regarding the Quality Service Plan have been answered (I think), I would like to add the JCAP Grant Award and approval of the security system (video, only) by ADT, to include the extra video monitor (\$385.00 + cable) and the Quality Service Plan (\$22.17/mo) back on the agenda under "old business" for (re)consideration and action.]

RESOLUTION # 151: **ADOPT ADT CAMERA BID**

Motion made by Councilman Gaylord seconded by Supervisor Harvey:

WHEREAS, the Town of Collins is interested in preserving, promoting and protecting the safety and security of Town employees and residents and Town property, and

WHEREAS, the Town of Collins was recently awarded funds in the amount of \$2,269.00 through the 2010 Justice Court Assistance Program (JCAP) for the purposes of the installation of a security system in the Town Hall, pursuant to the quote of ADT Security Services, as submitted in the grant application, and

WHEREAS, upon further review by the Board, it was subsequently determined that a video surveillance system (only) best fits the Town's needs currently and received an amended quote from ADT, and

WHEREAS, the balance of the funds have been secured through the reduction and application of Councilpersons' salaries two years ago.

NOW THEREFORE BE IT RESOLVED, that the Town award the purchase and installation of the surveillance video system to ADT Security Services, per their amended quote, in the amount of \$3,199.00, plus an additional monitor for \$385.00, plus the necessary cable, plus the purchase of the monthly Quality Service Plan for \$22.17/month and apply the JCAP grant award towards the same. Councilman Gaylord will call them.

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

No 0

2. Request to lower speed limit on Brewer Road to 45 mph

RESOLUTION # 152: **BREWER SPEED STUDY**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve a request for a study to be conducted by the County for speed reduction to 45 mph on Brewer Road between Brown and Route 39.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Change order

RESOLUTION # 153: **CHANGE ORDER #22**

Motion made by Supervisor Harvey, seconded by Councilman Tessmer to approve change order #22 for flood protection project at the well house on Taylor, completion date June 30 with no additional cost to the Town.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Town website

There was discussion as to the name of the company referred to us by Mark Brown as being Web Art Design or WNY Wire and which one we were actually under contract with.

Councilman Butzer would like to request Web Art Design to accept as payment in full the \$1,800 already paid to them to get the Town's web-site up and running as others are paying much less than our contract amount and yet it is 8mos and the project is not yet complete.

New Business

1. Municipal Clerk's week

RESOLUTION # 154: **MUNICIPAL CLERKS' RECOGNITION**

Motion to proclaim April 15 – 23 Municipal Clerk's Week made by Councilman Tessmer, 2nd by Councilman Butzer:

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 17 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.

2. Accept Supervisor's report

RESOLUTION #155: **ACCEPT SUPERVISOR'S JANUARY REPORT**

Motion made by Councilman Tessmer to accept the Supervisor's monthly report, seconded by Councilman Gaylord.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Purchase of trash bin

RESOLUTION #156: **PURCHASE OF TRASH BIN**

Motion made by Councilman Tessmer, 2nd by Councilman Butzer to accept the bids for replacement of the Town's 16yr old compactor of \$6,908 upon verification of the 3rd bid by phone:

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION #157: **"NO SMOKING" PARKS**

Motion made by Supervisor Harvey, 2nd by Councilman Tessmer to designate all Parks in the Town of Collins as "No Smoking" parks:

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Saturday, May 21st at the Highway Barns on Palmerton will hold an electronics recycling day 9:30 am – 2:30 pm for TVs, monitors, keyboards, recorders, phones, printers, faxes Jr Firefighters to assist as there being NO residency requirements and a large collection is expected.

Recreation Counselor applications are coming in and accepted till May 6. Interviews will be conducted after review of the applicants.

Request was sent for \$600.00 by Richard Dominski for damage to two tire rims after striking an ice buildup on W Becker & S Quaker. Board decided not to act on this as we are not responsible. Highway Superintendent Jensen will call and explain to him.

Next Regular Meeting to be held May 16, 2011 at 7:00 pm at the Collins Town Municipal Hall.

With no further business, on a motion of Councilman Tessmer seconded by Supervisor Harvey the meeting was adjourned at 9:30 pm.

Joanne Kibler, Deputy Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 16th day of May 2011 at 7:00 pm.

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

Absent: Mary Clark, Councilwoman

Also Present: Margaret Degenfelder, Wayne Harvey, Dick Agle, Matt Wurst, Richard Westlund reporter Gowanda Penny Saver News. Scott Williams and Jeff Johnson arrived at 8:03 pm.

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 158: AGENDA APPROVAL

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

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

RESOLUTION # 159: MINUTES APPROVAL

Motion made by Councilman Tessmer, seconded by Councilman Gaylord to approve the minutes of the May 2nd meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

RESOLUTION # 160: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Supervisor Harvey that the bills be paid on abstract #10 for 2011 dated May 16, 2011, vouchers # 321 – 357 for \$ 25,593.25.

General – Town Wide	10,385.79	Special Refuse	122.30
General – Part Town	201.34	Water District #1	2,517.28
Highway	2,312.24	Water District #3	730.57
Special Lighting #1	23.73	Water District #4	<u>50.00</u>
Helmuth Fire Control	9,250.00	Total	\$ 25,593.25

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

Public Access

Margaret Degenfelder asks when the Flavia Lane project will begin.

Richard Agle of the planning board suggested putting up signs on the main roads stating building permits required – zoning enforced. Also, he suggests the board members attend the STW seminar at Houghton College.

Wayne Harvey suggests putting the right to farm and building permit signs on the sale pole.

Board Reports

Councilman Gaylord attended the recreation meeting and stated the next meeting will be June 14, 2011.

Councilman Butzer is waiting on the Erie County personnel department to finalize the parks and recreation committee.

Councilman Tessmer reported a lock has been added to the bulk water station.

Supervisor Harvey reported the website is up and running but it will take awhile to get everything put on.

Old Business

1. Mulch for parks

New Business

1. Accept February and March Supervisor's monthly reports

RESOLUTION # 161: **ACCEPT SUPERVISOR'S FEBRUARY AND MARCH MONTHLY REPORTS**

Motion made by Councilman Tessmer seconded by Councilman Gaylord to accept the February and March Supervisor's reports.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

2. Appointment to Gowanda Ambulance Board

RESOLUTION # 162: **RECOMMEND APPOINTMENT TO GOWANDA AMBULANCE BOARD**

Motion made by Councilman Gaylord seconded by Councilman Tessmer to recommend Donald Tharnish be appointed to the Gowanda Ambulance Board.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

3. LK Painter Center parking lot

RESOLUTION # 163: **AUTHORIZE PARKING LOT REPAIRS AT LK PAINTER COMMUNITY CENTER**

Motion made by Councilman Gaylord seconded by Councilman Butzer to authorize the parking lot and side entrance lot is repaired at the LK Painter Community Center.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
No 0

4. Adopt Collins Summer Youth Center Rules & Regulations and Uniform Discipline Code – The board would like the attorney for the town look over them and also contact the insurance company. The commission should go over them so they can recommend their adoption by the board. Supervisor Harvey said the rules of attendance, fees and who can attend should be included. The board will go over at the next meeting.

Councilman Gaylord said there is only one port john at the Collins Park. With both diamonds being used kids are running across the street during little league to use the one unit. Matt Wurst will check with the highway superintendent about getting an additional unit.

The fire department has expressed strong concern of getting through School Street when events/games are being held at the park as people are parking on both sides of the street. Maybe consider parking only on one side and increase the parking lot size. A parking lot could be put in from Bagdad Rd.

Jeff Johnson and Scott Williams talked about the "Liberty Festival" Jeff has been planning. Councilman Butzer reported Pepsi is a possible sponsor, but Pepsi products would have to be sold and the carnival rides he checked into have been already been spoken for. Town Clerk stated the park pavilion has been reserved for Sunday, July 3rd.

RESOLUTION # 164: **AUTHORIZE FUNDS FOR LIBERTY FESTIVAL**

Motion made by Councilman Gaylord seconded by Councilman Butzer to authorize the go-ahead of making a commitment of \$2,000.00 from the town recreation budget for the purpose of the town's first annual Liberty Festival run through the Collins recreation committee.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
No 0

5. Adopt PO17 for the new position of appointed assessor

RESOLUTION # 165: **ADOPT COUNTY POSITION OF APPOINTED ASSESSOR**

Motion made by Councilman Gaylord seconded by Councilman Tessmer to adopt the position that the County of Erie has accepted and stamped for us on the position of appointed assessor.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 No 0

New Topics – Discussion and Comments

1. A letter was received from the Collins Center Cemetery requesting use of the transfer station to get rid of downed limbs and trash.

RESOLUTION # 166: **AUTHORIZE COLLIN CENTER CEMETERY USE OF THE TRANSFER STATION**

Motion made by Councilman Gaylord seconded by Councilman Tessmer to authorize the Collins Center Cemetery use the transfer station and purchase stickers pursuant to the Laws of New York chapter 69.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 No 0

With no further business, on a motion of Councilman Tessmer seconded by Supervisor Harvey the meeting was adjourned at 8:50 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 6th day of June 2011 at 7:00 pm.

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

Absent: David Tessmer, Councilman

Also Present: Thomas Siegle; Bev DeVore; Richard Westlund reporter Gowanda Penny Saver News.

Meeting called to order at 7:04 pm with the pledge to the flag.

RESOLUTION # 167: AGENDA APPROVAL

Motion made by Councilman Butzer, seconded by Supervisor Harvey to approve the agenda with additions.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey
Nay 0

RESOLUTION # 168: MINUTES APPROVAL

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to approve the minutes of the May 20th meeting as presented.

ADOPTED Aye 3 Gaylord, Butzer, Harvey
Abstained Clark
Nay 0

RESOLUTION # 169: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark that the bills be paid on abstract #11 for 2011 dated June 6, 2011, vouchers # 358 – 398 for \$ 26,902.22.

General – Town Wide	10,195.92	Water District #1	590.24
General – Part Town	788.22	Water District #3	150.97
Highway	10,324.44	Well House WS1	1,534.50
Special Lighting #1	846.06	Flavia Circle WD1	<u>1,586.00</u>
Special Refuse	885.87	Total	\$ 26,902.22

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey
Nay 0

The transfer station is now accepting all electronics from town residents all days the facility is open.

Public Access - none

Department Reports

Code Enforcement Officers handed out their monthly report.

Highway Department is doing road work. A new compactor bin has arrived for the transfer station.

Parks and Recreation will review youth center rules and regulations at their next meeting and the town board will review at the next meeting. Alternate workers have been picked and recommended to hire.

Town Clerk reported \$ 4,164.50 in sales the month of May with \$ 3,925.54 the town's portion.

Board Reports

Councilman Gaylord attended the electronic recycling day and the library board meeting. Councilwoman Clark reviewed the vouchers.

Supervisor Harvey attended the Erie County Governments meeting and the electronic recycling day and thanked all who worked.

Attorney Musacchio stated you can be sued even if there is a certificate of liability.

Old Business

1. Mulch for parks – not received anything – move to next meeting

2. Town of Collins Summer Youth Center Rules & Regulations – recreation commission will go over before next town board meeting.

3. Liberty Festival 2011 – Four people have donated money for the fireworks display. Our insurance excludes bounce houses, fireworks, etc. Supervisor Harvey will check into obtaining an events insurance policy. Bev DeVore of the Collins Friends Meeting Church asked if they could participate in the event to raise funds for their church. Supervisor Harvey stated all not-for-profit groups can set up for free. Councilman Butzer is working on Pepsi being a sponsor and looking into some rides.

RESOLUTION # 170: **APPROVE USE OF TOWN CREDIT CARD FOR LIBERTY FEST PURCHASES**

Motion made by Councilman Butzer seconded by Councilwoman Clark to authorize Jeff Johnson to use the town's credit card for purchase of supplies for the Liberty Festival 2011.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey

Nay 0

4. Payment to Hodgson Russ LLP

RESOLUTION # 171: **DENY PAYMENT TO HODGSON RUSS LLP**

Motion made by Councilman Gaylord seconded by Councilwoman Clark that the board is in opposition to pay the continuing balance of \$ 5,524.35 from Hodgson Russ LLP as it was understood with the contract with Hodgson Russ that we would not be charged for this. The attorney for the town is authorized to draft a letter to Hodgson Russ LLP.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey

Nay 0

5. Water meter reader – handheld

RESOLUTION # 172: **PURCHASE HANDHELD WATER METER READER**

Motion made by Supervisor Harvey seconded by Councilman Gaylord that on the recommendation of the water advisory commission the town board authorizes the water department to purchase a Psion Workabout Pro C63 Handheld Watermeter Reader and docking charger from Intedata for a total cost of \$2,625.00

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey

Nay 0

6. Hire summer recreation workers – The commission interviewed the applicants and recommends the board hire three.

RESOLUTION # 173: **APPOINT SUMMER RECREATION WORKERS**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to appoint to the Summer Recreation worker alternate list: David Butzer, Samantha D'Amato and Megan Giles.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey

Nay 0

New Business

1. Accept April Supervisor's monthly report

RESOLUTION # 174: **ACCEPT SUPERVISOR'S APRIL MONTHLY REPORT**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to accept the April Supervisor's report.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey

Nay 0

2. First payment to Birch Grove

RESOLUTION # 175: **APPROVE PAYMENT TO BIRCH GROVE**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to approve the first payment of \$ 31,350.00 to Birch Grove.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey

Nay 0

New Topics – Discussion and Comments

1. Bulk water sales procedure was discussed and an exception will be done for the fire companies.

2. PO17 Councilman Butzer received a call from Erie County and was told the PO17 is ok with the county and in their eyes the Parks and Recreation Commission is all set and they gave their approval.

Councilman Gaylord received a call for a Collins Center resident regarding extreme erosion problems. Mr. Gaylord told them it is a state issue and to contact the Department of Environmental Conservation. The town cannot go on private property unless the problem is in the right-of-way. Attorney Musacchio said to contact the Army Corp of Engineers.

With no further business, on a motion of Councilwoman Clark seconded by Supervisor Harvey the meeting was adjourned at 8:53 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 20th day of June 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor
 Robert Gaylord, Councilman
 Alan Butzer, Councilman
 Mary Clark, Councilwoman
 David Tessmer, Councilman
 James Musacchio, Attorney for Town (7:12)
 Becky Jo Summers, Town Clerk

Also Present: Wayne Harvey; Dick Clark; Scott and Cami Williams (8:10) and Richard Westlund reporter Gowanda Penny Saver News.

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 176: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 177: MINUTES APPROVAL

Motion made by Supervisor Harvey seconded by Councilman Butzer to approve the minutes of the June 6th meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey
 Abstained Tessmer
 Nay 0

RESOLUTION # 178: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark, that the bills be paid on abstract #12 for 2011 dated June 20, 2011, vouchers # 399 – 454 for \$ 87,733.27:

General – Town Wide	8,057.65	Water District #1	5,385.53
General – Part Town	2,317.51	Water District #3	1,458.97
Highway	29,224.01	Water District #4	131.25
Special Lighting #1	23.73	Well House WS1	<u>31,350.00</u>
Special Refuse	9,784.62	Total	\$ 87,733.27

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Board Reports

Councilman Gaylord attended a meeting in the Town of Concord regarding fracking, the recreation advisory committee meeting and the Legislator John Mills' library hot dog roast.

Councilman Tessmer along with the personnel committee interviewed two candidates again for the assessor position and attended the library hot dog roast. Mr. Tessmer spoke with one of the water advisors regarding the Collins Center tank and overflowing issues.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey attended the library hot dog roast. Mr. Harvey has been in contact with ADT regarding the security cameras which will be installed in two to three weeks. Testified at the Erie County Legislature against both of the proposals for re-districting. Reported the State has a contractor ready to put water pipe in for their water system to hook into the towns. We have not received anything from them.

Old Business

1. Mulch for parks – Councilman Gaylord solicited a few quotes – a total of five have been received. Superior Pallets is the least expensive at \$ 3,980.35 and does not include the fabric or

landscape timbers.

1. Attica Package Co., Inc., Attica	4,391.00
2. Superior Pallets, Inc., Blasdell	3,980.35
3. Universal Play Systems, Inc., Dunkirk	5,870.25
4. Fibar Systems, Armonk	6,660.00
5. Willow Creek Farm, Clarence Center	4,660.00

Quotes have not been solicited for the rental of equipment from either vendor we do business with. Highway Superintendent Jensen will check with other towns, regarding the municipal agreement, if they have the equipment available to do the job.

RESOLUTION # 179: APPROVE PURCHASE OF MULCH FOR PARKS

Motion made by Supervisor Harvey seconded by Councilman Butzer to approve purchasing mulch for the parks from Superior Pallets of Blasdell at \$ 17.75 per cu yard, delivered with fuel charge of \$ 11.05 per load; not to exceed \$ 3,980.35, subject to them providing a certificate. Fabric is not included.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Liberty Festival 2011 - Supervisor Harvey has been looking into obtaining insurance for the event. We can have a minimum liability events policy for \$ 650.00 as long as anyone with amusement devices has one million dollars and the town listed and a hold harmless agreement submitted. Mr. Harvey proposes the town board covers the cost of the event insurance that is not covered by donations.

RESOLUTION # 180: APPROVE INSURANCE POLICY FOR LIBERTY FESTIVAL

Motion made by Supervisor Harvey seconded by Councilman Tessmer to authorize the town supervisor sign an events policy with Philadelphia Insurance Co. for \$ 650.00 and the town board will cover the cost not covered by donations.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Skylighters will do fireworks on Saturday and they have a \$ 5M insurance policy.

RESOLUTION # 181: APPROVE CONTRACT WITH SKYLITERS FOR FIREWORKS FOR LIBERTY FESTIVAL

Motion made by Councilman Tessmer seconded by Supervisor Harvey to authorize the supervisor sign a contract with Skylighters of Western New York Inc. for the fireworks show at the Liberty Festival subject to received promised donations and town code enforcement officers supplying/issuing a permit to have fireworks. Proper insurance is to be supplied by the vendor.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Town of Collins Summer Youth Center Rules & Regulations, Registration Form and the Uniform Discipline Code forms were gone over by the recreation committee and they recommend all the forms be adopted by the town board.

RESOLUTION # 182: ADOPT SUMMER RECREATION RULES, REGULATIONS, REGISTRATION FORM AND DISCIPLINE CODE

Motion made by Supervisor Harvey seconded by Councilwoman Clark to adopt the town of Collins summer Youth Recreation Rules and Regulations, Registration Form and the Uniform Discipline Code as corrected

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Bulk water sales procedure should include procedure both fire companies

RESOLUTION # 183: APPROVE BULK WATER PROCEDURE FOR FIRE COMPANIES

Motion made by Supervisor Harvey seconded by Councilman Gaylord to set up bulk water forms for both fire companies that they will fill out in duplicate, give one to the purchaser and one to be

turned in monthly.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

5. PO 17 – Councilman Butzer offered a resolution to approve the PO17 for the Parks and Recreation Advisory Committee as returned from Erie County. Supervisor Harvey stated that the information needs to be put on a PO17 form, signed by the supervisor and submitted to the county for their approval and validation then the county will return the PO17 to the town for acceptance.

RESOLUTION # 184: **APPROVE SUBMITTAL OF PO17**

Motion made by Councilman Butzer seconded by Councilwoman Clark to authorize Supervisor Harvey transfer the information to a PO17, sign and submit it for the Parks and Recreation Advisory Committee and send it to Erie County Personnel.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Workers Compensation Insurance – Supervisor Harvey met with our current carrier Lovell and Perma and received quotes from both. We would get the same coverage and save about \$35,000.00 if we switched to Perma.

RESOLUTION # 185: **AUTHORIZE CHANGE IN WORKERS COMPENSATION CARRIER**

Motion made by Councilman Tessmer seconded by Supervisor Harvey to become a member of the Public Employer Risk Management Association., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York, Perma workers' compensation insurance for the quote received of \$ 64,872.00 less \$ 1,072.00 if paid by July 15th.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Change Order #1 Flavia Lane/Taylor Hollow Rd. Interconnection – The contractor, Cayuga Excavating, Inc. has requested an increase to the contract price as they were not able to secure the required highway work permit in the fall due to weather condition concerns by the Town Highway Department and the ECDPW.

RESOLUTION # 186: **APPROVE CHANGE ORDER #2 FOR FLAVIA LANE PROJECT**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to authorize Change Order No. 2 to Cayuga Excavating, Inc. in the amount of \$ 1,672.21, which increases the contract price from \$ 108,490.00 to \$ 110,117.21 due to delay of the start of the project.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Supervisor's May monthly report

RESOLUTION # 187: **ACCEPT SUPERVISOR'S MAY MONTHLY REPORT**

Motion made by Supervisor Harvey seconded by Councilman Tessmer to accept the supervisor's monthly report for May.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. LKP tree removal bid was received to remove a tree near the kitchen door

RESOLUTION # 188: **AUTHORIZE REMOVAL OF ONE TREE AT L K PAINTER COMMUNITY CENTER**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve Paul Waterman's bid of \$ 450.00 to remove one tree and grind the stump at the LK Painter Community Center.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Topics – Discussion and Comments

1. Special events application form would have to be filled out per the Town of Collins Municipal Code for the Liberty Festival and presented to the town clerk for approval before the event.

RESOLUTION # 189: APPROVE SPECIAL EVENT APPLICATION FORM

Motion made by Councilman Gaylord seconded by Councilman Tessmer to approve the Town of Collins Special Event Application as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Extension of Cayuga contract – a request of a 30 day time extension was received from Cayuga Excavating, Inc., 8719 Route 89, Interlaken, NY 14847. Paul Bowers, Project Manager for Wm Schutt & Associates, Engineering & Land Surveying, PC that he recommends no longer than a 15 day extension.

RESOLUTION # 190: APPROVE 15 DAY EXTENSION TO CAYUGA EXCAVATING

Motion made by Supervisor Harvey seconded by Councilman Tessmer to approve a 15 day extension to Cayuga Excavating, Inc.; for the Taylor Hollow Road/Flavia Lane Interconnection project upon recommendation of Paul Bowers, Project Manager of Wm. Schutt & Associates.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

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

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 30th day of June 2011 at 8:00 am.

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

Absent: Alan Butzer, Councilman

Meeting called to order at 8:00 am.

1. The owners (Bounce Nation) of the dunk tank want us to run the tank. Our insurance (Trident) excludes entertainment devices with rental agreements and we would be liable.

2. On the wellhouse project – they want to put in another 75' of pavement/road to edge of the right of way.

RESOLUTION # 191: **DO NOT ACCEPT PROPOSALS FROM WM. SCHUTT**

Motion made by Supervisor Harvey, seconded by Councilwoman Clark to not accept any proposals from Wm. Schutt.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 192: **JOIN PERMA WORKERS' COMPENSATION GROUP SELF-INSURANCE PLAN**

Motion made by Councilman Gaylord seconded by Councilman Tessmer approve the following resolution:

ADOPTED Aye 4 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Whereas, the Town Board of the Town of Collins desires to secure the Town of Collins' obligation to provide workers' compensation benefits through participation in a group self-insurance program of which the Town of Collins will be a member.

Whereas, the Town Board of the Town of Collins, duly convened in special session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Town Board of the Town of Collins does hereby resolve to secure the Town of Collins' obligation to provide workers' compensation benefits through participation in a group self-insurance plan of which the Town of Collins will be a member;

Section 2. The Town Board of the Town of Collins does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to effect the Town of Collins' membership in said group self-insurance program, the supervisor of the town of Collins is hereby authorized to execute and enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement, annexed hereto as Exhibit A, on behalf of the Town of Collins.

Section 4. This Resolution shall take effect immediately.

LK Painter Community Center – rain poured into the center – Doug Martindale did a temporary fix.

Insurance – Dave Ivett, insurance agent, went back through our policy regarding craft and food vendors and could not find anything that our insurance would not cover regarding them for the event but they personally would not be covered in their stands and must sign a certification of indemnification. Our insurance does not cover amusement devices, fireworks and races, etc. Our only issue is the amusement devices as the bands are not included so the bands will be covered,

but the band members would not be covered. Mr. Ivett suggests putting up a barrier.

RESOLUTION # 193: **AUTHORIZE LIBERTY FESTIVAL**

Motion made by Supervisor Harvey seconded by Councilman Tessmer to authorize the Town of Collins 2011 Liberty Festival. The vendors and bands do not need to have their own insurance to cover the event.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 194: **PRE-PAY BILLS FOR LIBERTY FEST**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to approve pre-paying the bills for the fireworks (two checks), magic show, four bands, the credit card bills and the softball prizes.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
 Nay 0

The dunk tank, if not covered under Ray Hammer's insurance should be rejected as it was not presented to us as supposed to be done. Confusion as to whether Mr. Hammer is renting equipment to us, operator free or if he was the operator of the equipment at the event.

RESOLUTION # 195: **APPROVE PREPAYMENT OF DUNK TANK**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve pre-payment only subject to Ray Hammer getting the appropriate insurance required.

ADOPTED Aye 4 Gaylord, Clark, Tessmer Harvey
 Nay 0

With no further business, on a motion of Councilman Gaylord seconded by Supervisor Harvey the meeting was adjourned at 8:50 am.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of July 2011 at 6:30 pm.

Present: Merle Harvey, Supervisor Mary Clark, Councilwoman
Robert Gaylord, Councilman Becky Jo Summers, Town Clerk
Alan Butzer, Councilman

Absent: David Tessmer, Councilman

Meeting called to order at 6:38 pm.

Insurance for bounce house, dunk tank and water slide - Thursday morning Ray Hammer brought the certificate of insurance to the town hall and it was faxed to the insurance agent, Dave Ivett who said it did not contain what they required. Mr. Hammer told he would do whatever he had to do to get the correct level of insurance. Friday Mr. Ivett spoke with Supervisor Harvey that he has not received anything from Mr. Hammer and Mr. Ivett was to contact Mr. Hammer and Mr. Hammer told Mr. Ivett he would not increase the insurance as that level of insurance was too costly and it was too late to get any insurance and nothing more was to be done.

Supervisor Harvey spoke with Jeff Johnson and Jeff told him to pay Ray's insurance or (Jeff) would not do anything more on the Liberty Fest. Councilman Butzer wanted it put in the minutes that, "that is not what Jeff Johnson told Supervisor Harvey and that Mr. Harvey hung up on him". Supervisor Harvey stated he lost reception on the phone call. Councilwoman Clark said she received a phone call from Mr. Ivett at approximately 4:30 pm that he received the appropriate level of insurance from Ray Hammer and the insurance company was closed at 3:00 pm and he did not know if they would honor the insurance. The special event policy is not in effect now because Mr. Ivett held the policy and check until the certificates of insurance were received. All were informed what insurance limits they needed to have.

Councilwoman Clark called Councilman Tessmer and put him on speaker phone and recapped what had been discussed.

Supervisor Harvey received certificate of insurance from Ray Hammer on Thursday and faxed it to Dave Ivett. Dave called Mr. Harvey and told him the insurance was not adequate. Mr. Harvey called Mr. Hammer and told him. Friday Ray told he had the insurance and brought it to the town hall. Supervisor Harvey faxed the certificate to Linda Miller and Larry. Dave Ivett called and said the insurance is not adequate and Dave spoke with and told him he had until 3:00 pm to get the correct certificate. Councilwoman Clark said Dave Ivett called her that he received the proper insurance certificate from Ray Hammer and faxed it to Philadelphia and is not sure if the insurance company will accept it or not; but thought they probably would. Mrs. Clark called Dave's cell number and left a message to call as a meeting was in progress. Councilman Gaylord stated at this point we do not have the special event policy. Councilman Butzer said Jeff Johnson told him Ray Hammer will get the insurance needed. Mr. Gaylord asks if the town wants to assume liability of over 1 million if Ray Hammer does not get the insurance.

RESOLUTION # 196: APPROVE AMUSEMENT DEVICES AT LIBERTY FEST

Motion made by, Councilman Gaylord seconded by Supervisor Harvey that based upon the insurance agent, David Ivett's approval and validation of Ray Hammer's certificate of insurance to include proper limits and naming the town as additional insured the board approves the retention of Ray Hammer's amusement devices to include an inflated bounce house, slide and dunk tank, if we are to have the dunk tank for the Liberty Fest and furthermore that the board directs our insurance agent to pursue the events policy which was submitted timely prior to the end of normal business hours on July 1, 2011.

ADOPTED Aye 3 Gaylord, Clark, Harvey
 Abstain 1 Butzer
 Nay 0

Supervisor Harvey stated Ray Hammer had told different versions about the insurance and wants verification of the situation. Councilman Butzer does not know if the vendors knew about the insurance. Supervisor Harvey stated only Ray Hammer needs the insurance, the vendors do not. Everyone was informed they needed to have insurance in the beginning.

With no further business, on a motion of Councilwoman Clark seconded by Supervisor Harvey the meeting was adjourned at 7:25 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 5th day of July 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor David Tessmer, Councilman
 Robert Gaylord, Councilman Becky Jo Summers, Town Clerk
 Alan Butzer, Councilman Dennis Jensen, Highway Superintendent
 Mary Clark, Councilwoman

Also Present: John Hackemer; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 197: **AGENDA APPROVAL**

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

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 Nay 0

RESOLUTION # 198: **MINUTES APPROVAL**

Motion made by Councilman Tessmer seconded by Supervisor Harvey to approve the minutes of the June 20th meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 Nay 0

Councilwoman Clark arrived at 7:04 pm.

RESOLUTION # 199: **ABSTRACT APPROVAL**

Motion made by Supervisor Harvey seconded by Councilman Gaylord, that the bills be paid on abstract #13 for 2011 dated July 5, 2011, vouchers # 455 – 506 for \$ 57,498.30:

General – Town Wide	6,637.09	Water District #1	997.68
General – Part Town	6,231.75	Water District #3	145.54
Highway	32,190.10	Water District #4	.64
Special Lighting #1	849.23	Well House WD1	264.00
Helmuth Fire Control	9,250.00	Flavia Circle WD1	<u>900.50</u>
Special Refuse	31.77	Total	\$ 57,498.30

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 200: **APPROVE PRE-PAYMENT WORKERS' COMPENSATION PREMIUM**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to approve pre-paying workers compensation premium to Perma, 9 Cornell Rd, Latham, NY in the amount of \$17,424.00 as first quarterly payment for policy period of 7/1/11 - 7/1/2012.

ADOPTED Aye 3 Gaylord, Tessmer, Harvey
 Nay 0
 Abstained 1 Butzer
 Clark out of room

Reports

Highway Superintendent Jensen reported they will be oil and chipping roads and are getting caught up. Matt Wurst and the beautification crew did a great job getting the park ready for the Liberty Fest.

Transfer station had five bins filled at last trash day. Two days were spent hauling the trash away;

something has to be done about the amount of trash.

Town Clerk Summers reported June income of \$ 5,557.25 and the town's portion \$ 5,115.89. The tax roll has been turned over to Erie County Tax Department. Of the total warrant \$ 2,460,512.97 the amount turned over to the county is \$215,828.16.

Board Reports

Councilman Gaylord attended the June 28th special recreation meeting.

Councilman Butzer passed along comments regarding the Liberty Fest.

Councilman Tessmer is researching the cost of doing a re-val of the town and will do a spreadsheet of his findings. Gave a copy of assessor's contract with the Town of Evans to the town attorney for comments. Mr. Tessmer attended the water advisory board meeting and Dan Stroud is working on a bid for the controller for WD #3.

Councilwoman Clark attended the water advisory and Liberty Fest meetings; reviewed the vouchers and worked at the Liberty Fest.

Supervisor Harvey attended the Erie County Association of Gov'ts meeting and heard positive comments about the Liberty Fest.

Old Business

1. Liberty Fest report – none received

New Business

1. Contract extension for Flavia Lane/Taylor Hollow Rd Interconnection

RESOLUTION # 201: **APPROVE CHANGE ORDER NO. 4 CONTRACT EXTENSION OF TIME**

Motion made by Supervisor Harvey seconded by Councilman Tessmer to wit:

Whereas, Cayuga Excavating, Inc., contractor for the Collins W.D. #1 – Flavia Lane/Taylor Hollow Rd. Interconnection project has requested an extension to contract time as they are waiting for ECHD approval of the testing results in order to complete making the connections, and

Whereas, Paul M. Bowers, P.E., Project Manager of Wm. Schutt Associates recommends the extension.

Now, Therefore Be It Resolved that the Town of Collins authorize Change Order No. 4 to Cayuga Excavating, Inc. for a Final Completion date of July 22, 2011.

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

Nay 0

2. Progress payment No. 1 for Flavia Lane/Taylor Hollow Rd Interconnection

RESOLUTION # 202: **APPROVE PROGRESS PAYMENT NO. 1**

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

Whereas, Cayuga Excavating, Inc., contractor for the Collins W.D. #1 – Flavia Lane/Taylor Hollow Rd. Interconnection project has submitted a request for Progress Payment #1, and

Whereas, Cayuga Excavating Inc. has submitted the request on the proper forms and has attached the proper certified payroll forms for the payment period through June 24, 2011.

Now, Therefore Be It Resolved that the Town of Collins authorize payment to Cayuga Excavating, Inc. in the amount of \$ 71,237.68 for work completed on the Collins W.D. #1 – Flavia Lane/Taylor Hollow Rd. Interconnection project through June 24, 2011.

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

Nay 0

3. LK Painter Community Center sewer system – sewage and water problems in the building are being caused by a roof drain pipe which is unhooked and a partially operating pumping system that pumps all waters from the building into a forced leach system outside. Doug Martindale reports the existing pumping station is in bad condition and needs repairs if the building is to be used. Two options: 1. up grade the pumping system with new controls and pumps for \$2,500.00 estimated material or 2. re-build existing control panel for proper pump operation for \$500.00 estimated material. The septic tank and pump tank needs to be pumped and cleaned.

RESOLUTION # 203: **AUTHORIZE WORK TO LKP HEATING SYSTEM AND PUMP SEPTIC TANK**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to authorize Doug Martindale continue on in capacity as a part time laborer to rebuild the existing control panel and oversee having the septic tank pumped at the LK Painter Community Center; not to exceed \$1,200.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Liberty Fest thank you's – Councilman Butzer drafted two resolutions.

RESOLUTION # 204: **APPROVE RESOLUTION OF APPRECIATION**

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

WHEREAS, community festivals throughout Western New York greatly add to the quality of life for residents, help introduce people to each respective locality, and raise funds for worthy causes and,

WHEREAS, The Town of Collins has been one of the few local municipalities without a community event of its own, and

WHEREAS, Recreation director Jeff Johnson and the Recreation Commission approached the Town earlier this year and requested authorization to organize and host Liberty Fest, for the purposes of utilizing the expanded Town Park, increasing community recreational opportunities, and raising surplus funds to benefit the Town's recreation department, and

WHEREAS, Jeff Johnson, the commission, summer recreation workers, and supporters of the recreation department expended tremendous efforts and worked unpaid hours to plan, organize, promote, obtain sponsorships and donations, and oversee Liberty Fest.

NOW THEREFORE BE IT RESOLVED, The Town of Collins expresses its admiration and appreciation for Recreation Director Jeff Johnson, The Town of Collins Recreation Committee, Summer Recreation Staff, and all others who helped in making Liberty Fest a successful reality and that they be furnished a copy of this Resolution printed on Town letterhead and signed by members of the board in appreciation of efforts above and beyond written job descriptions. Councilman Butzer will distribute.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 205: **APPROVE RESOLUTION OF APPRECIATION**

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

WHEREAS, community festivals throughout Western New York greatly add to the quality of life for residents, help introduce people to the locality, and often raise funds for worthy causes, and

WHEREAS, The Town of Collins has been one of the few local municipalities without a community event of its own, and

WHEREAS, first year events are difficult to fund without dedicated monies, and

WHEREAS, the local community responded overwhelmingly when asked to support the Town's Liberty Fest.

NOW THEREFORE BE IT RESOLVED, The Town of Collins expresses acknowledgement and appreciation for the following donors: Gernatt Gravel Products, Gowanda Harley Davidson, Steve Baldo Chevy-Buick-Cadillac, Gowanda Ford, Misty Ridge Carriage, Red's Dogs & Cones, Bill Gugino Builders, B&B Homes, Pepsi Cola of Buffalo, Creekside Physical Therapy, Dave and Peg Tessmer, Scott & Deb Degenfelder, Goode's Restaurant, Value Home Center, Gowanda Jubilee and Wm Schutt and Associates PC, and

FURTHER BE IT RESOLVED, that each donor be furnished a copy of this Resolution printed on Town letterhead and signed by the Recreation Committee Chair in appreciation of their support of the local community. Subject to review and recommendation of the recreation committee. Councilman Butzer will distribute.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Councilwoman Clark read a resolution to reimburse Ray hammer for the additional cost of insurance for his amusement devices.

RESOLUTION # 206: **APPROVE INSURANCE REIMBURSEMENT TO RAY HAMMER**

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

Whereas, the Town of Collins held its first community festival on July 1, 2 & 3, 2011, and

Whereas, it was decided that several amusement devices would be rented to provide entertainment for children attending the festival, and

Whereas, the vendor of these devices had \$1,000,000.00 aggregate liability insurance, but less than that level of coverage per occurrence, and

Whereas, the Town's insurer required \$1,000,000.00 coverage per occurrence, which was very costly to the vendor, and

Whereas, the vendor, at the last minute, did increase his coverage to satisfy the Town's requirement and in effect, saved the event from failure.

Now Therefore Be It Resolved the Town of Collins reimburses the vendor the amount of the cost to increase his liability coverage to \$1,000,000.00 coverage per occurrence and listing the Town of Collins as additional insured.

DEFEATED Aye 2 Butzer, Clark

Nay 3 Gaylord, Tessmer, Harvey

New Topics – Discussion and Comments

Letter of support for repair and/or reconstruction of Gowanda Zoar Road was received from the Village of Gowanda. The board is not comfortable to address only this project when so many county roads are in need of repair. Councilman Gaylord would like the highway superintendent check with Gerard Sentz of the EC Highway Department.

Councilwoman Clark would like a good size ad taken out in the pennysaver thanking the people who volunteered for the Liberty Fest. Councilman Gaylord mentioned Jeff Johnson may already be thinking of this or a letter to the editor. Supervisor Harvey said he would like to see the numbers first.

With no further business, on a motion of Supervisor Harvey seconded by Councilman Gaylord the meeting was adjourned at 8:27 pm.

Becky Jo Summers, Town Clerk

Water:

Printed on water bills just mailed out. "Pay NET until July 20. On July 30 all water bills 2 quarters overdue will be charged to County Tax bill".

The town has moved up the date that past due water bills will be turned over to Erie County to be relieved onto the 2012 town and county property tax.

All bills not paid in full by July 30, 2011, and are two quarters past due, will be taken off the water accounts and given to the Assessors to be placed on the 2012 tax roll.

Residents will not be able to pay on these amounts.

If they want to pay ahead for the next quarter, they can.

REGULAR MEETING

APRIL 18, 2011 3

New Business

1. Community Day – Scott Williams, recreation committee chairman explained Jeff Johnson's idea of a proposed 4th of July weekend to benefit the Collins Youth Center. He asks that he be given a budget to work with and all money made would be reimbursed back to the recreation program. The idea of asking for sponsors came up. All felt it is ok to explore this further.

REGULAR MEETING

MAY 16, 2011 3

Jeff Johnson and Scott Williams talked about the "Liberty Festival" Jeff has been planning. Councilman Butzer reported Pepsi is a possible sponsor, but Pepsi products would have to be sold and the carnival rides he checked into have been already been spoken for. Town Clerk stated the park pavilion has been reserved for Sunday, July 3rd.

RESOLUTION # 164: **AUTHORIZE FUNDS FOR LIBERTY FESTIVAL**

Motion made by Councilman Gaylord seconded by Councilman Butzer to authorize the go-ahead of making a commitment of \$2,000.00 from the town recreation budget for the purpose of the town's first annual Liberty Festival run through the Collins recreation committee.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey No 0

REGULAR MEETING

JUNE 6, 2011 2

3. Liberty Festival 2011 – Four people have donated money for the fireworks display. Our insurance excludes bounce houses, fireworks, etc. Supervisor Harvey will check into obtaining an events insurance policy. Bev DeVore of the Collins Friends Meeting Church asked if they could participate in the event to raise funds for their church. Supervisor Harvey stated all not-for-profit groups can set up for free. Councilman Butzer is working on Pepsi being a sponsor and looking into some rides.

RESOLUTION # 170: **APPROVE USE OF TOWN CREDIT CARD FOR LIBERTY FEST PURCHASES**

Motion made by Councilman Butzer seconded by Councilwoman Clark to authorize Jeff Johnson to use the town's credit card for purchase of supplies for the Liberty Festival 2011.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey Nay 0

REGULAR MEETING

JUNE 20, 2011 2

2. Liberty Festival 2011 - Supervisor Harvey has been looking into obtaining insurance for the event. We can have a minimum liability events policy for \$ 650.00 as long as anyone with amusement devices has one million dollars and the town listed and a hold harmless agreement submitted. Mr. Harvey proposes the town board covers the cost of the event insurance that is not covered by donations.

RESOLUTION # 180: **APPROVE INSURANCE POLICY FOR LIBERTY FESTIVAL**

Motion made by Supervisor Harvey seconded by Councilman Tessmer to authorize the town supervisor sign an events policy with Philadelphia Insurance Co. for \$ 650.00 and the town board will cover the cost not covered by donations.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey Nay 0

Skylighters will do fireworks on Saturday and they have a \$ 5M insurance policy.

RESOLUTION # 181: **APPROVE CONTRACT WITH SKYLITERS FOR FIREWORKS FOR LIBERTY FESTIVAL**

Motion made by Councilman Tessmer seconded by Supervisor Harvey to authorize the supervisor sign a contract with Skylighters of Western New York Inc. for the fireworks show at the Liberty Festival subject to received promised donations and town code enforcement officers supplying/issuing a permit to have fireworks. Proper insurance is to be supplied by the vendor.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey Nay 0

REGULAR MEETING**JUNE 20, 2011 4**

1. Special events application form would have to be filled out per the Town of Collins Municipal Code for the Liberty Festival and presented to the town clerk for approval before the event.

RESOLUTION # 189: APPROVE SPECIAL EVENT APPLICATION FORM

Motion made by Councilman Gaylord seconded by Councilman Tessmer to approve the Town of Collins Special Event Application as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey Nay 0

SPECIAL MEETING**TOWN OF COLLINS****JUNE 30, 2011 2****RESOLUTION # 193: AUTHORIZE LIBERTY FESTIVAL**

Motion made by Supervisor Harvey seconded by Councilman Tessmer to authorize the Town of Collins 2011 Liberty Festival. The vendors and bands do not need to have their own insurance to cover the event.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey Nay 0

RESOLUTION # 194: PRE-PAY BILLS FOR LIBERTY FEST

Motion made by Supervisor Harvey seconded by Councilman Gaylord to approve pre-paying the bills for the fireworks (two checks), magic show, four bands, the credit card bills and the softball prizes.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey Nay 0

The dunk tank, if not covered under Ray Hammer's insurance should be rejected as it was not presented to us as supposed to be done. Confusion as to whether Mr. Hammer is renting equipment to us, operator free or if he was the operator of the equipment at the event.

RESOLUTION # 195: APPROVE PREPAYMENT OF DUNK TANK

Motion made by Councilman Gaylord seconded by Supervisor Harvey to approve pre-payment only subject to Ray Hammer getting the appropriate insurance required.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey Nay 0

SPECIAL MEETING**TOWN OF COLLINS****JULY 1, 2011 2****RESOLUTION # 196: APPROVE AMUSEMENT DEVICES AT LIBERTY FEST**

Motion made by Councilman Gaylord seconded by Supervisor Harvey that based upon the insurance agent, David Ivett's approval and validation of Ray Hammer's certificate of insurance to include proper limits and naming the town as additional insured the board approves the retention of Ray Hammer's amusement devices to include an inflated bounce house, slide and dunk tank, if we are to have the dunk tank for the Liberty Fest and furthermore that the board directs our insurance agent to pursue the events policy which was submitted timely prior to the end of normal business hours on July 1, 2011.

ADOPTED Aye 3 Gaylord, Clark, Harvey Abstain 1 Butzer Nay 0

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 18th day of July 2011 at 7:00 pm.

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

Also Present: Wayne Harvey; Richard Clark; Edgar Villa; Margaret Degenfelder; Dawn Spires; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 207: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 208: MINUTES APPROVAL

Motion made by Supervisor Harvey seconded by Councilman Tessmer to approve the minutes of the June 30th meeting as presented.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
 Nay 0
 Abstain 1 Butzer

RESOLUTION # 209: MINUTES APPROVAL

Motion made by Supervisor Harvey seconded by Councilman Gaylord to approve the minutes of the July 1st meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey
 Nay 0
 Abstain 1 Tessmer

RESOLUTION # 210: MINUTES APPROVAL

Motion made by Councilman Tessmer seconded by Supervisor Harvey to approve the minutes of the July 5th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 211: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark, that the bills be paid on abstract #14 for 2011 dated July 18, 2011, vouchers # 507 – 533 for \$ 97,830.94:

General – Town Wide	4,476.29	Water District #1	2,373.80
General – Part Town	6,404.22	Water District #3	940.28
Highway	11,832.45	Water District #4	2,429.80
Special Lighting #1	23.73	Flavia Circle WD1	<u>71,237.68</u>
Special Refuse	542.49	Total	\$ 100,260.74

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Public Access

Edgar Villa of Blade Village addressed the board asking if his property tax could be reduced on his

new business in town. The board suggests he speak with the assessors and then Supervisor Harvey will also speak with the assessors.

Board Reports

Councilman Gaylord attended the July 12th recreation committee meeting where they discussed the Liberty Fest and he recommended they do a wrap-up meeting as soon as possible. The mulch project for the parks should start today. Recreation attendance for the first week in Collins Center is approximately 30 plus and Collins 80 kids and another counselor is needed in Collins. The surveillance cameras from ADT will be installed Monday, July 25th.

Councilman Butzer spoke with Ray Hammer regarding the expense of the bounce house insurance and Ray will fax it to the town hall and is staying on top of reporting of the Liberty Fest.

Councilman Tessmer spoke with Paul Bowers of Wm. Schutt regarding a change order from Birch Grove for stone for the driveway. Mr. Tessmer had asked the water department for specs for the pump controller and has not received anything yet. Read an article in the penny saver that Senator Gallivan reported both the Collins and Gowanda Correctional Facilities will remain open.

Councilwoman Clark reviewed the vouchers and wrote a letter to the editor regarding the Liberty Fest.

Supervisor Harvey reported the \$650.00 insurance check was returned by the insurance company as the insurance was not done in time. The septic system at the LKP has been fixed for approximately \$ 600.00 and a log book will be gotten and kept. Flavia Circle water project is close to completion. Spoke with Attorney Musacchio regarding paying Ray Hammer's insurance and Mr. Musacchio recommends not doing it at it is a misuse of town funds.

Old Business

1. PO17 was stamped and returned by Erie County Personnel

RESOLUTION # 212: **APPROVE SUBMISSION OF PO17**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to authorize the supervisor sign and submit to Erie County Personnel the PO17 approving the position of Parks and Recreation Advisory Committee.

ADOPTED	Aye	5	Gaylord, Butzer, Clark, Tessmer, Harvey
	Nay	0	

2. Liberty Fest reporting

RESOLUTION # 213: **REQUEST LIBERTY FEST REPORTS**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to wit:

Whereas, Jeff Johnson and the recreation department came to the town board requesting town sponsorship of the 1st Annual Liberty Fest, and

Whereas, the Town of Collins authorized the 1st Annual Liberty Fest organized and operated under the direction of Jeff Johnson, a six-year employee of the town and the recreation department, and

Whereas, town law §29 under powers and duties of supervisor, requires a complete account of the receipt and disbursements of all town moneys.

Now Therefore Be It Resolved that the town board instruct Jeff Johnson to provide within ten days of today the necessary financial – participation – and inventory information required to complete the required record keeping as prescribed by the OSC and our town auditors.

Be It Further Resolved that a list entitled Liberty Fest 2011 be followed to provide this information.

DEFEATED	Aye	2	Gaylord, Harvey
	Nay	3	Butzer, Clark, Tessmer

Discussion ensued over lack of reports for the Liberty Fest.

New Business

1. Mowing distressed properties – Supervisor Harvey spoke with Robert Timmel of Disaster Relief Inc. about mowing high grass. Mr. Timmel was the only one who applied last year.

RESOLUTION # 214: **APPROVE PROPERTY LAWN MOWING**

Motion made by Supervisor Harvey seconded by Councilwoman Clark to authorize the town enter into agreement with Disaster Relief Inc., 3515 Brown Street, Collins, NY to conduct lawn mowing in the Town of Collins subject to the code enforcement officers direction at \$ 32.00 per hour.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

2. Recreation appointments

RESOLUTION # 215: **APPROVE HIRING RECREATION ATTENDANTS**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to wit:

Whereas the Town of Collins Recreation Committee after review has determined that participant enrollment numbers in the Summer Recreation Program warrant the hiring of an additional staff counselor in order to insure safety and promote success, and

Whereas, the alternates list for summer staff previously submitted by the Recreation committee and approved by the Town Board has been exhausted.

Therefore Be It Resolved that the Town Board approve the recommendation of the Recreation Committee and hire Thomas McMullen to the position of Recreation Attendant – PT at the salary of \$ 9.30 per hour, and Adam Steves as an alternate Recreation Attendant – PT at the same salary, should it be necessary over the course of the Summer Program session, both appointments effective as of July 18, 2011.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 216: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Harvey seconded by Councilman Tessmer that the Board moves into an executive session at 8:28 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 217: **RETURN TO REGULAR SESSION**

Motion made by Councilwoman Clark seconded by Councilman Butzer that the Board returns to regular session at 9:20 PM.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

With no further business, on a motion of Councilman Gaylord seconded by Councilman Tessmer the meeting was adjourned in memory and appreciation of U. S. Army Sgt. James T. Hackemer at 9:22 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of August 2011 at 7:00 pm.

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

Absent: Mary Clark, Councilwoman, Alan Butzer, Councilman

Also Present: Dick Agle, Margaret Degenfelder, Jeff Johnson, Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 218: AGENDA APPROVAL

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

ADOPTED Aye 3 Gaylord, Tessmer, Harvey
Nay 0

RESOLUTION # 219: MINUTES APPROVAL

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve the minutes of the July 18th meeting as amended.

ADOPTED Aye 3 Gaylord, Tessmer, Harvey
Nay 0

RESOLUTION # 220: ABSTRACT APPROVAL

Motion made by Supervisor Harvey seconded by Councilman Gaylord, that the bills be paid on abstract #15 for 2011 dated August 1, 2011, vouchers # 535 – 577 for \$ 35,101.76 subject to review by audit committee:

General – Town Wide	17,225.73	Water District #1	633.25
General – Part Town	4,620.99	Water District #3	45.33
Highway	7,623.55	Well House WD1	247.50
Special Lighting #1	837.03	Flavia Circle WD1	<u>2,590.70</u>
Special Refuse	1,277.68	Total	\$ 35,101.76

ADOPTED Aye 3 Gaylord, Tessmer, Harvey
Nay 0

Public Access

Margaret Degenfelder asks when the project in Seneca Heights will be finished. Supervisor Harvey stated soon.

Reports

Attorney Musacchio is looking over the contract between the towns of North Collins and Evans for assessor services and the Vail Road gravel pit application.

Code Enforcement's report was handed out to the board and Gene Degman reported on the work on Zoar Road regarding the flood plain. Until we are provided a report the work cannot be started. Charlie Siegle would like cleanup of brush, trash and general cleanup added to the lawn mowing.

Parks and Recreation – Jeff Johnson thanked Matt Wurst for putting the safety covers on the horseshoe stakes.

Town Clerk Summers reported June income of \$ 4,310.75 and the town's portion \$ 4,025.68.

Board Reports

Councilman Gaylord thanked Gary Kwaitkowski, Scott Williams, Jeff Johnson, Merle Harvey and Sue Gamel for reviewing the Liberty Fest finances and reports for this year's event. The mulch project in the parks is moving along. Jeff Johnson asked why the mulch was put down during the recreation program and the play areas are used during the program. Mr. Gaylord spoke with Wm. Schutt and Associates regarding vendors of the playground equipment in Collins Center.

Supervisor Harvey spoke with a resident regarding why the town takes care of some cemeteries and not all of them. He will look into it.

New Business

1. Cash report form

RESOLUTION # 221: **ADOPT RECREATION CASH REPORT FORM**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to adopt Form Rec 8-1-11, Town of Collins Recreation Cash Report as formal form.

Supervisor Harvey withdrew his motion and Councilman Gaylord withdrew his second to the motion.

2. Supervisor's monthly report for June

RESOLUTION # 222: **ADOPT SUPERVISOR'S JUNE REPORT**

Motion made by Councilman Tessmer seconded by Councilman Gaylord to adopt the Supervisor's June 2011 monthly report.

ADOPTED	Aye	3	Gaylord, Tessmer, Harvey
	Nay	0	

3. Code Enforcement Officers would like the addition of cleaning up of brush, trash and general cleanup added to the lawn mowing resolution.

RESOLUTION # 223: **ADD CLEANUP OF PROPERTIES TO LAWN MOWING**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to expand original Resolution # 214, July 18, 2011 for lawn mowing to include the cleaning up of brush, trash and general cleanup as directed by the Code Enforcement Officers.

ADOPTED	Aye	3	Gaylord, Tessmer, Harvey
	Nay	0	

New Topics – Discussion and Comments

Well head protection project – Wm Schutt Associates has requested Change Order No. 3 for Increase in Contract Price/Extension of Contract Time. A meeting will be set up with all parties to discuss.

Surveillance cameras have been installed.

Flood protection project around the town hall has not been started.

Items needing attention list was gone over.

With no further business, on a motion of Councilman Gaylord seconded by Councilman Tessmer the meeting was adjourned at 8:02 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of August 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor David Tessmer, Councilman
Robert Gaylord, Councilman Becky Jo Summers, Town Clerk
Mary Clark, Councilwoman James Musacchio, Attorney (7:20)

Absent: Alan Butzer, Councilman

Also Present: Susan Davie; Ron Franze Chairman and Wayne Harvey Water Commissioners; Ken Martin; Jeff Johnson; Scott Williams; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnel reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 224: AGENDA APPROVAL

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

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 225: MINUTES APPROVAL

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve the minutes of the August 1st meeting as presented.

ADOPTED Aye 3 Gaylord, Tessmer, Harvey
Nay 0
Abstained 1 Clark

RESOLUTION # 226: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Supervisor Harvey, that the bills be paid on abstract #16 for 2011 dated August 15, 2011, vouchers # 578 – 613 for \$ 96,516.74 :

General – Town Wide	6,342.48	Special Refuse	3,403.72
General – Part Town	2,693.76	Water District #1	1,589.05
Highway	82,236.35	Water District #3	<u>227.65</u>
Special Lighting #1	23.73	Total	\$ 96,516.74

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 227: PRE-PAY BUS DRIVER TIP

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve prepayment of driver tip to the bus driver to be named when the bus driver is identified for the senior trip September 18, 2011 to Wildwood, NJ.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

Board Reports

Councilman Gaylord reported the liberty fest meeting of August 7th was cancelled and not rescheduled; attended the recreation meeting last week; spoke with Mr. Heim regarding the park shelter and spoke with a resident of Collins Center about erosion on their property. The recreation is suggesting eliminating the Tuesday night winter session and extending the program longer into the spring and Jeff Johnson has a list of items to be addressed by the building committee. Scott Williams would like to run the ad for winter recreation counselors.

Councilman Tessmer hybridized a non-employee incident report and is compiling information on garbage hauling.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey reported on the leaking at the LK Painter Community Center and attended the Erie County Water Quality Committee meeting.

Old Business

1. Mulch – all areas have been done but not to the depth that it should be so more would have to be purchased. What is not used can be stockpiled at the highway barns.

RESOLUTION # 228: **APPROVE PURCHASE OF MORE MULCH**

Motion made Councilman Gaylord by seconded by Councilwoman Clark to authorize Matt Wurst purchase an addition load of mulch as previous specs to complete the project.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

2. Specs for control system Collins Center pump station

RESOLUTION # 229: **AUTHORIZE BID SPECIFICATIONS FOR COLLINS CENTER PUMP STATION**

Motion made Supervisor Harvey by seconded by Councilman Gaylord to wit:

Whereas, the Collins Center pump station is in need of a control system, and

Whereas, the Collins Water Department has put together a bid specification package for the control system.

Now Therefore Be It Resolved the town board approves the specifications and put it out to bid as soon as possible with a sealed bid opening on August 29, 2011 at 2:30 pm in the town clerk's office.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

3. Town of Collins recreation cash report

RESOLUTION # 230: **APPROVE CASHREPORT FORM FOR RECREATION**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to with:

Whereas, a Town of Collins Recreation Cash Report form Rec8-1-11 was presented at the previous meeting for approval, and

Whereas, the town board requested the Parks and Recreation Advisory Committee look over the form.

Now Therefore Be It Resolved, the town board approved the Town of Collins Recreation Cash Report to be used equally at all town recreation programs.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

4. Authorize payment to Birch Grove (2nd payment)

RESOLUTION # 231: **AUTHORIZE PAYMENT TO BIRCH GROVE LANDSCAPING**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to wit:

Whereas Birch Grove Landscaping, Inc., contractor on the well house protection project has submitted a request for Progress Payment #2, and

Whereas, Wm. Schutt and Associates has calculated the quantities to date and have compared them with the contractor's request and find them accurate, and

Whereas, the contractor has submitted they payment request on the proper forms and has attached the proper certified payroll form for the payment period through July 24, 2011.

Therefore Be It Resolved upon the recommendation of Wm Schutt and Associates the Town of Collins authorize payment to Birch Grove Landscaping, Inc. in the amount of \$69,140.00 for work completed on the Collins Water District No. 1 Well Head Flood protection Project through July 24, 2011.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

New Business

1. Supervisor's monthly report for July

RESOLUTION # 232: **ACCEPT SUPERVISOR'S JULY 2011 MONTHLY REPORT**

Motion made by Supervisor Harvey seconded by Councilman Gaylord to accept the Supervisor's July 2011 monthly report.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

2. Cornell Cooperative Extension use of LK Painter Center for six weeks – one day per week

RESOLUTION # 233: **APPROVE USE OF LK PAINTER COMMUNITY CENTER FOR CORNELL COOPERATIVE**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to authorize the Cornell Cooperative Extension use the LK Painter Community Center for six weeks – one day per week starting September 20th until October 25th at a cost of \$ 10.00 per hour subject to them providing a certificate of insurance to the town.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

3. Erie County Multi-Jurisdictional Hazard Mitigation Plan Update

RESOLUTION # 234: **AUTHORIZATION TO PARTICIPATE IN E.C. MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

Motion made by Supervisor Harvey seconded by Councilman Gaylord that the town participates in the first update of the Erie County Multi-Jurisdictional Hazard Mitigation Plan.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

New Topics – Discussion and Comments

Board camera dollars – After the \$1,315.00 comes out of the money the board reduced their salary to pay for security cameras there will be \$685.00 left. Discussion covered using that money to put cameras at the front and rear entrances of the LK Painter Community Center. Supervisor Harvey will look into it.

Labor allocation for water districts and better use of labor force needs to be looked at.

Attorney Musacchio asked for a 30-day extension on the Vail Road Gravel pit project. The town has an agreement with the owner so the DEC does not enter into this.

The recreation committee asks to have the ad placed for winter counselors.

RESOLUTION # 235: **APPROVE PLACEMENT OF WINTER RECREATION AD**

Motion made by Councilman Gaylord seconded by Supervisor Harvey to authorize the Recreation Advisory Committee run an ad for winter recreation the seeks of September 3rd and 10th.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0

With no further business, on a motion of Councilman Tessmer seconded by Councilwoman Clark the meeting was adjourned at 8:30 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 1st day of September 2011 at 7:00 pm.

Present: Merle Harvey, Supervisor
Robert Gaylord, Councilman
Mary Clark, Councilwoman
Alan Butzer, Councilman

David Tessmer, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Also Present: Thomas Siegle Chairman Planning Board; Joann Monat; Jeanne Glende; Wayne Harvey Water Commissioner; Chester Grudzien; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 236: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 237: MINUTES APPROVAL

Motion made by Supervisor Harvey, seconded by Councilman Tessmer to approve the minutes of the August 15th meeting as presented.

ADOPTED Aye 4 Gaylord, Clark, Tessmer, Harvey
Nay 0
Abstained 1 Butzer

RESOLUTION # 238: ABSTRACT APPROVAL

Motion made by Supervisor Harvey seconded by Councilwoman Clark, that the bills be paid on abstract #17 for 2011 dated September 6, 2011, vouchers # 614 – 650 for \$ 86,724.21 subject to audit committee complete audit of vouchers:

General – Town Wide	7,870.21	Water District #1	1,263.88
General – Part Town	4,034.71	Water District #3	398.38
Highway	3,085.41	Well House WD1	<u>69,139.83</u>
Special Lighting #1	862.55	Total	\$ 86,724.21
Special Refuse	69.24		

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Public Access

Neighbors of the Presbyterian Cemetery on Sand Hill asked why the town does not take care of the cemetery and stated they have mowed the grass many times. The board explained what has transpired about this situation. The Village of Gowanda should be contacted regarding the lack of mowing and cleaning up of the property.

Reports

Attorney Musacchio provided a packet to the board regarding the Vail Road gravel permit; received a letter for the DEC regarding the gravel permit and went over the sample agreement regarding the sole appointed assessor.

Code Enforcement Officer Degman handed out the monthly report; met with Brian Rose in Zoar Valley – the proposed area is out of our flood zone and discussed his concerns with the property in Collins Center over the vast accumulation of stuff.

Town Clerk Summers reported sales of \$ 8,624.00 with the towns share \$ 5,126.80.

Board Reports

Councilman Gaylord met with residents of Main Street in Collins Center over creek bank erosion and met with the building committee for the proposed layout of the LK Painter Community Center.

Councilman Butzer met the Richard Pecnik of Gernatt Gravel.

Councilwoman Clark worked with councilman Tessmer on the assessor position; met with Vail Road residents on the gravel pit then met with Richard Pecnik regarding concerns and reviewed the vouchers.

Supervisor Harvey reported the LKP roof still leaks; attended the EC Governments and Hazard Mitigation Disaster program meetings.

Old Business

1. Received a request for a letter of support on Thatcher Brook.

RESOLUTION # 239: **AUTHORIZE LETTER OF SUPPORT**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to authorize the supervisor send a letter of support for Thatcher Brook.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Assessor

RESOLUTION # 240: **APPOINT TOWN ASSESSOR (CONDITIONALLY)**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to wit:

Whereas, the Town of Collins has established the position of sole appointed assessor, and

Whereas, our present assessor has decided to retire, and

Whereas, the town has advertized the position and the personnel committee and a member of the assessor's office has interviewed all applicants, and

Whereas, the committee recommends the appointment of Jeanne Ebersole through a contract of service from the Town of Evans, conditional on the resignation of Robert Peglowski, approval of RP-3006 Application for Qualifications Review and negotiations of an acceptable contract with the Town of Evans.

Therefore Be It Resolved that the Town of Collins appoint Jeanne Ebersole as town assessor conditionally upon the resignation of Robert Peglowski, approval of RP-3006 Application for Qualifications Review and negotiations of an acceptable contract with the Town of Evans.

Be It Further Resolved, instrumental upon approval authorize our town attorney meet with the attorney from the Town of Evans to negotiate an agreeable contract.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Disaster Coordinator

RESOLUTION # 241: **APPOINT DISASTER COORDINATORS**

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

Whereas, the Town of Collins has solicited the service of an individual to serve as Disaster Coordinator and has received expressed interest from two and interviewed both individuals.

Be It Therefore Resolved, that upon the recommendation of the personnel committee that Ronald Paluch be appointed Disaster Coordinator and Thomas Ruda, Jr. be appointed assistant Disaster Coordinator at no salary.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Public hearing on Vail Road permit regarding expansion of an existing surface mine

RESOLUTION # 242: **SET PUBLIC HEARING FOR SEPTEMBER 19, 2011 – VAIL ROAD MINING PERMIT**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to set a public hearing for September 19, 2011 at 7:30 pm to modify an existing special use permit dated December 16, 1974.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

5. Water controller bids – two bids were received higher than what was budgeted so they both should be rejected. Dan Stroud spoke with a representative of Carrier Controls about a controller that would be less expensive and work with future expansion.

RESOLUTION # 243: REJECT BOTH WATER CONTROLLER BIDS

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to reject both bids received from Carrier Controls and Plant IQ for the Scada system for the Collins Center water station.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 244: AUTHORIZE PURCHASE OF WATER CONTROLLER

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to instruct Dennis Jensen, Highway Superintendent as supervisor of the water department to move forward to acquire the system for the Collins Center water system and have installed as soon as possible. This purchase should include a schematic and operation and maintenance manual.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

6. Well house project change order

RESOLUTION # 245: AUTHORIZE CHANGE ORDER NO. 3

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

Whereas, Birch Grove Landscaping, Inc, contractor on the above referenced project has requested an increase to the contract price, and

Whereas, Wm Schutt and Associates processed the request as Change Order No. 3, and

Whereas, the change order includes an add of \$1,489.43 for requested storm drainage work that was required because the storm outlet pipe was installed too high during the previous creek bank stabilization project by other, also an add of \$ 2,671.40 for providing and placing additional stone sub-base for pavement work to be completed by the highway department at the access drive, and an add of \$150.00 for galvanized piping for the artesian discharge, and

Whereas, the contractor is also issuing a deduct in the amount of \$324.00 for flowable fill that was not used to cover the existing water line under the new berm. The total change in contract price is therefore an add of \$3,986.83.

Therefore Be It Resolved upon the recommendation of Wm Schutt that the Town of Collins authorize Change Order No. 3 to Birch Grove Landscaping, Inc. in the amount of \$3,986.83, which increases the contract price from \$102,800.00 to \$106,786.83.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

New Business

1. Old town barn needs a roof. If a ten foot extension is put on there would be room to put the parks and water vehicles. Supervisor Harvey will try to get three contractors look at the building.

2. National Grid energy efficiency study – Supervisor Harvey was contacted by National Grid who did a summary of the town building lighting. We would be able to save money by having them replace lights in the highway barn.

RESOLUTION # 246: AUTHORIZE SIGNING OF CONTRACT WITH NIAGARA GRID FOR LIGHTING

Motion made by Councilman Gaylord, seconded by Councilman Tessmer to sign a contract with Niagara Grid, subject to review by the attorney for the town for lights in the highway barn.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

3. Rural transit letter of support

RESOLUTION # 247: AUTHORIZE LETTER OF SUPPORT

Motion made by Councilman Gaylord, seconded by Councilwoman Clark to authorize the supervisor send a letter of support for the Rural Transit system.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

4. Park shelter – Councilman Gaylord spoke with William Heim regarding a design for a park shelter with a metal roof, storage, sink, etc. Mr. Heim said he could do it with an architectural seal and it will not exceed \$1,000.00.

RESOLUTION # 248: **AUTHORIZE \$1,000.00 FOR PARK SHELTER PLANS**

Motion made by Councilman Gaylord, seconded by Councilwoman Clark to authorize the recreation committee spend up to \$1,000.00 for specs and an architectural stamp for a shelter for the park.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

New Topics – Discussion and Comments

Water is flooding on Mill Street between library parking lot and the Joll's Main Street property. Supervisor Harvey will research this.

P-2 telecom – phone service could save us 30% on billing.

Pilot program – payment in lieu of taxes – some towns receive payment in lieu of taxes from the government. We should check with Senator Gallivan on this.

The 2004 water truck was discussed; it may not make it through this year plowing.

With no further business, on a motion of Councilman Tessmer seconded by Councilman Gaylord the meeting was adjourned at 10:20 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 19th day of September 2011 at 7:00 pm.

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

Also Present: Thomas Siegle Chairman, John Bentley, and Dick Agle Planning Board; Tom and Pat Robinson; Shirley Quiter; Marty and Nancy Reid; Richard Clark; Joan Falk; Rich Pecnik; Ken Ziccarelli; Ken Martin; Mary Stelley; Ed Grudzien; Kurt Hirschman; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 249: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 250: MINUTES APPROVAL

Motion made by Councilman Butzer, seconded by Councilman Tessmer to approve the minutes of the Tuesday, September 6th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 251: ABSTRACT APPROVAL

Motion made by Councilwoman Clark seconded by Councilman Gaylord, that the bills be paid on abstract #18 for 2011 dated September 19, 2011, vouchers # 651 – 681 for \$ 30,469.32 subject to audit committee complete audit of vouchers:

General – Town Wide	7,276.34	Special Refuse	2,124.85
General – Part Town	5,261.03	Water District #1	2,672.17
Highway	12,411.99	Water District #3	<u>699.21</u>
Special Lighting #1	23.73	Total	\$ 30,469.32

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Public Access - none

Board Reports

Councilman Gaylord spoke with representatives of the Presbyterian Church and called the neighbors who were here at the last meeting; attended the library board of trustees meeting; attended the NEST meeting, the meeting with Senator Gallivan and the recreation meeting.

Councilman Butzer spoke of the changes the state has come out with over workers compensation.

Councilman Tessmer is drafting an update to the policy and procedures on cell phone use to be circulated to all.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey reported Russo Development worked on the drainage around the north entrance to the town hall; met with Senator Gallivan and met with representatives from the Erie County Library board.

Old Business

National Grid energy efficiency study – Supervisor Harvey spoke with the representative and the saving that was figured for the LKP Community Center used eight hours per day for five days a week and it would take many years to realize a savings.

New Business

1. Set public hearing on property tax cap

RESOLUTION # 252: **SET PUBLIC HEARING ON LOCAL LAW NO. 2**

Motion made by Councilman Tessmer, seconded by Councilwoman Clark, to set a public hearing on Local Law # 2 of 2011 on October 3, 2011 at 7:30 pm to override the tax levy limit.

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

Nays 0

Public Hearing for an application by Gernatt Asphalt Products to modify an existing Special Use Permit dated December 16, 1974 to operate a gravel pit on Vail Road in the Town of Collins. This application to modify the current Special Use Permit would result in a 12.25 acres expansion to the existing 57 acres in size, bringing the total to 69.25 acres with the additional acreage.

RESOLUTION # 253: **MOVE TO SCHEDULED PUBLIC HEARING**

Motion made by Councilman Butzer, 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 5 Gaylord, Butzer, Clark, Tessmer, Harvey

Nays 0

The public hearing was declared open. Attorney Musacchio read the notice of public hearing and explained what this modification would do the set-back distance. Vail Road is 66 feet wide. There would be from the center of the road (33 feet) a 25 foot area then a 25 foot berm; a total of 83 feet. Excavation cannot be done in the area of power lines.

Supervisor Harvey stated the hearing was called to hear concerns of the public regarding the modification so the board can pass along information/comments to the DEC.

Comments were asked for from the floor:

Kurt Hirschman asked for clarification of the new set-back length from the center of the road.

Thomas Robinson read a prepared statement.

Mary Ellen Twichell asked how long it will be as it was put on paper that reclamation would be 50 years and she read a statement.

Charles Grudzien questioned how far down they will go as stated they would stay 10 feet above the water table.

Elizabeth Reid read a prepared statement.

Edward Grudzien read a prepared statement.

Nancy Reid supports Elizabeth's letter.

Paula Steffan read a statement.

All that spoke were not in favor of granting this modification to the mining permit.

Attorney Musacchio will contact the Dec that the town does not want to do anything until after they see the SEQR. If the time limit has to be extended Mr. Musacchio will do so.

With no more comments, the hearing was declared closed at 8:15 pm and the meeting reconvened.

New Business, cont'd

2. Set public hearing on CDBG

RESOLUTION # 254: **SET PUBLIC HEARING ON CDBG**

Motion made by Councilman Tessmer, seconded by Supervisor Harvey, to set a public hearing for the Community Development Block Grant funding on Monday, October 3, 2011 at 8:00 pm

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

3. Well house project increase in fees - request was received from Wm Schutt Associates of \$5,000.00. Councilman Tessmer would like an accounting of costs via an itemized list and why.

New Topics – Discussion and Comments

Mill Street drainage – the receptacle is on private property but if we could put a berm in to run the water to our side or what. The basis sits higher than the receptacle. Councilman Gaylord spoke with Highway Superintendent Jensen and he feels it is not a town issue.

RESOLUTION # 255: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Harvey seconded by Councilman Gaylord that the Board moves into an executive session at 8:35 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 256: **RETURN TO REGULAR SESSION**

Motion made by Councilman Tessmer seconded by Councilwoman Clark that the Board returns to regular session at 9:50 PM.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

With no further business, on a motion of Councilman Tessmer seconded by Councilwoman Clark the meeting was adjourned at 9:50 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 3rd day of October 2011 at 7:00 pm.

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

Absent: Mary Clark, Councilwoman

Also Present: Ken Martin; Nancy Earle; Anita Claeus; Marilyn Hopp; Ron Franz Chairman, Wayne Harvey Water Commissioners; Chester and Shirley Grudzien; Charles Grudzien; Tom and Pat Robinson; Kurt Hirschman; Paula Steffan; Marty and Nancy Reid; Mary Stelley; Sue Gamel Budget Officer; Thomas Siegle Chairman, John Bentley, and Dick Agle Planning Board; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnel reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 257: AGENDA APPROVAL

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

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

RESOLUTION # 258: MINUTES APPROVAL

Motion made by Councilman Tessmer, seconded by Supervisor Harvey to approve the minutes of the Tuesday, September 19th meeting as presented.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

RESOLUTION # 259: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Butzer, that the bills be paid on abstract #19 for 2011 dated October 3, 2011, vouchers # 682 – 716 for \$ 14,829.64:

General – Town Wide	5,568.91	Special Refuse	82.76
General – Part Town	2,310.40	Water District #1	719.20
Highway	3,838.81	Water District #3	<u>1,357.74</u>
Special Lighting #1	951.82	Total	\$ 14,829.64

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

Public Access

Liz Reid asked regarding the Gernatt Gravel pit if they have to reclaim the south side before they can mine on the north side.

Tom Robinson stated they have heard different things and want to know what is going on.

Reports

Code Enforcement Officer Charles Siegle handed out the monthly report.

Highway Superintendent Jensen reported the new lights have been installed and have made a big difference; helped North Collins on blacktopping; the park benches are being installed; work will begin next week on the pump house driveway.

Town Clerk Summers reported sales of \$ 11,292.25 with the towns share \$ 4,242.61.

Board Reports

Councilman Gaylord and Matt Wurst met with Mark Heim of House of Steel over the proposed park shelter; discussed with Matt location of benches and met with Phil Palen of Gowanda regarding the park trees.

Councilman Butzer reviewed the vouchers and rates on workers compensation.

Councilman Tessmer spoke with Paul Bowers of Wm Schutt regarding the dead trees in the park and Birch Grove will replace them this month. Mr. Tessmer spoke with William Schutt on a list of overages and Mr. Schutt wants to meet with the board.

Supervisor Harvey stated the transfer station needs some signage for electronics, trash day items, recycling, etc.

Old Business

1. Resignation of assessors – Supervisor Harvey spoke with Jeanne Chase regarding the assessor contract between the town and Town of Evans and she feels there are no obstacles in it. The committee will meet again with Mrs. Chase.

Cell phone policy was presented by Councilman Tessmer with a proposed change in title to Personal Electronic Devices that would cover same. The proposed policy will be checked with the company who did our employee handbook.

3. Response to public hearing held on Gernatt mining permit: Attorney Musacchio will draft a response to the DEC.

PUBLIC HEARING FOR FEDERAL COMMUNITY DEVELOPMENT FUNDS**RESOLUTION #260: MOVE TO SCHEDULED PUBLIC HEARING**

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to interrupt this meeting to conduct a Public Hearing advertised and scheduled for this evening at 8:00 PM.

ADOPTED Ayes 4 Gaylord, 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. Rural Transit Van Service
2. Generator for town hall and LKP Community Center

With no one else wishing to be heard the public hearing was closed.

Supervisor Harvey declared the public hearing closed at 8:17 pm.

New Business

1. Set public hearing on property tax cap for October 17th.

RESOLUTION # 261: SET PUBLIC HEARING ON PROPERTY TAX CAP

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to set a public hearing October 17th at 7:30 pm on the property tax cap.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

2. LKP building committee recommendations

RESOLUTION # 262: APPROVE BUILDING COMMITTEE RECOMMENDATIONS REGARDING LKP

Motion made by Councilman Butzer, seconded by Supervisor Harvey to approve the following to wit:

Whereas, the building committee has met several times to study condition of the building and general maintenance needs, and

Whereas, the building committee met with all organizations using the building to better understand the need and to better utilize space for there programming and potential growth.

Now Therefore Be It Resolved that the following recommendation be implemented:

The recreation department will take over using what is now the counseling room as office space, lounge and TV area and storage space for items stored though out the painter center.

The present craft room will be used as a town meeting room with all recreation furniture will be moved to the newly designated space.

The morning enrichment will move upstairs to the old computer room.

The present morning enrichment will be utilized for added senior recreation space and storage.

The Veterans will be allowed to use space previously used for senior recreation storage for occasional group counseling.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

3. Resolution accepting audit of court records for 2010

RESOLUTION # 263: **ACCEPT TOWN JUSTICES 2009 AUDIT REPORT**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve

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 Daniel Kuligowski and Norman Peters have been audited and that the Town Board hereby accepts the audit reports for the town justices for the year 2010, as prepared by Freed Maxick & Battaglia, PC.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

4. Resolution regarding payment put to tax roll

RESOLUTION # 264: **SET 40% ADMINISTRATIVE FEE**

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

Whereas, there is no set date to close out water books on unpaid water bills to go to the county tax roll, and

Whereas, these unpaid bills consume considerable time to verify and establish the list of unpaid bills.

Now Therefore Be It Resolved that the last business day of July of each year will be the final day to pay delinquent water bills and all unpaid water bills at that time will be assessed a 40% administrative fee to generate the list to be submitted for placement on the tax roll.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
Nay 0

5. Resolution set administrative fee to all accounts put to tax roll

RESOLUTION # 265: **APPROVE INCREASE IN WATER RATES FOR DISTRICTS # 1 AND 3**

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

Whereas, the water advisory committed has reviewed the water budgets and the ever

increasing cost of operation of the systems.

Not Therefore Be It Resolved upon the recommendation of the water advisory committee that a rate increase of 10% be implemented in Districts 1 and 3.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 Nay 0

6. Accept supervisor's monthly report for August

RESOLUTION # 266: **ACCEPT SUPERVISOR'S AUGUST MONTHLY REPORT**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to accept the August Supervisor's monthly report.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 Nay 0

RESOLUTION # 267: **APPROVE PRE-PAYMENT OF BILL FOR LIFT RENTAL**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to approve prepayment of lift rental charges of \$ 325.00 from CIR Electrical Construction Corp for installation of lights in highway barn.

ADOPTED Aye 4 Gaylord, Butzer, Tessmer, Harvey
 Nay 0

New Topics – Discussion and Comments

Proposed 2012 budget discussion – Supervisor Harvey set a meeting October 5, 2010 at 7:00 pm for the presentation of the tentative 2012 budget.

With no further business, on a motion of Councilman Gaylord, seconded by Councilman Tessmer the meeting was adjourned at 8:55 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 5th day of October 2011 at 7:00 pm.

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

Absent: Robert Gaylord, Councilman; Mary Clark, Councilwoman

Also Present: Ken Martin; Wayne Harvey Water Commissioner; Robert and Mary Stelley
Meeting called to order at 7:00 pm.

Tentative budget was presented to the board by the town clerk.

Supervisor Harvey stated the budget was done so as to not use any fund balance from this year.

The budget was gone through fund by fund.

A public hearing will be needed for the Rosenberg Fire District contract.

Proposed increase in garbage stickers is \$.25 each making medium stickers \$ 1.25 and large stickers \$ 2.00. Proposed is to sell the stickers at the transfer station only in packs for exact change. Money and report will be turned in daily.

August 31, 2015 the transfer station property lease is up. The town will have to decide if we are to continue the transfer station, haul our own or out-source pick-up.

Also proposed is to charge a \$ 10.00 truck fee on trash day.

More money was put in the three water districts and change Matt Wurst to water part time in the summer, work in the LKP and obtain his CDL to plow snow in highway.

All part time not appointed or elected will get a raise, full time will get \$ 300.00 to raise the cap on health insurance. Both groups exclude the town clerk. She will be given a 2% raise.

There is a big hit to the B Fund this year. Recreation concession stand and registration money both down. Trips are not budget neutral. The town is paying for tickets for the bus driver and counselors which should be spread over the cost of the tickets and bussing paid by the attendees.

Water was budgeted for 1 ½ people.

Discussion covered the tentative / preliminary budget and the process to get from the first to the second one.

RESOLUTION # 268: **RECESS MEETING**

Motion made by Councilman Butzer, seconded by Councilman Tessmer to recess this meeting until Tuesday October 11, 2011 at 7:00 pm so both councilpersons not here will have time to go over the budget.

DEFEATED Aye 2 Butzer, Tessmer
 Nay 1 Harvey

With no further business, on a motion of Councilman Butzer, seconded by Councilman Tessmer the meeting was adjourned at 10:45 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 17th day of October 2011 at 7:00 pm.

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

Also Present: Doug Martindale; Holly Martindale; Susan Davie; Kenneth Martin; Ron Franz Chairman, water committee; Christine Giles; Ian Giles; Paula Steffan; Marty and Nancy Reid; Richard Clark; Mary Stelley; Meg Keoppen; Dick Agle Planning Board; Jeff Johnson recreation director; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 269: AGENDA APPROVAL

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

ADOPTED Aye 4 Gaylord, Butzer, Clark, Harvey
 Nay 0

RESOLUTION # 270: MINUTES APPROVAL

Motion made by Councilman Butzer, seconded by Supervisor Harvey to approve the minutes of the Tuesday, October 3rd meeting as presented.

ADOPTED Aye 3 Gaylord, Butzer, Harvey
 Nay 0
 Abstain 1 Clark

RESOLUTION # 271: MINUTES APPROVAL

Motion made by Supervisor Harvey, no seconded to the motion to approve the minutes of the Tuesday, October 5th meeting as presented.

DEFEATED

Public Access

Doug Martindale and Holly Martindale reported the bags of human waste are again on Bagdad Road. Holly said she doesn't mind picking them up but is afraid of getting hit. Last year the police had caught the one doing it. Supervisor Harvey will talk with the Martindales.

Councilman Tessmer arrived at 7:05pm.

RESOLUTION # 272: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilwoman Clark, that the bills be paid on abstract #20 for 2011 dated October 17, 2011, vouchers # 717 – 760 for \$ 92,108.59:

General – Town Wide	18,470.25	Water District #1	15,240.59
General – Part Town	5,085.63	Water District #3	25,179.45
Highway	12,724.12	Library	8,250.00
Special Lighting #1	23.73	Water District # 4	<u>3,154.40</u>
Special Refuse	3,980.42	Total	\$ 92,108.59

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

Board Reports

Councilman Gaylord met with bill Heim regarding the new park shelter and attended the

recreation committee meeting where they interviewed applicants for the winter program. At the Prison Advisory meeting it was reported Collins has 989 inmates and Gowanda has 1,520 inmates. Mr. Gaylord attended the Gowanda Area Development Corp. meeting.

Councilman Butzer attended the special meeting held October 5th and hoped some of the questions he had would be answered later in the meeting. Mr. Butzer spoke about the sales tax estimate and census cuts.

Councilman Tessmer will work with the planning board on special use permits and contacted Wm Schutt regarding itemization of overages.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey reported the overflow preventer has arrived and will be installed. Mr. Harvey and Sue Gamel met with the recreation committee and went over their budget, went over change in building room usage and the cabinets at the back of the stage.

Old Business

1. CDBG resolution

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 # 273: RANK CDBG PROJECTS

Motion made by Councilman Gaylord, seconded by Councilman Butzer, 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. Appoint Helen Zimmerman to Assessment Board of Review to expire 9/30/2016

RESOLUTION # 274: APPOINT ASSESSMENT BOARD OF REVIEW MEMBER

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to appoint Helen Zimmerman to the Assessment Board of Review for a five year term to expire September 30, 2016.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

3. Resolution – Telephone / Personal Electronic Device usage

RESOLUTION # 275: APPROVE TELEPHONE/ PERSONAL ELECTRONIC DEVICE USAGE POLICY FOR INSERTION INTO EMPLOYEE HANDBOOK

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

Whereas, the Town of Collins currently has a policy on the personal use of cell phones by employees, and

Whereas, as technology has advanced, cell phones have evolved into internet-capable electronic devices, and

Whereas, the Town wishes to control the use of these electronic devices by employees during working hours, therefore

Be it Resolved, that the Town's Employee Handbook, Section 510 be amended by changing the heading to "Telephone / Personal Electronic Device Usage" and removing the words "or cell phone" from the sixth and seventh bullet points, and adding an eighth bullet point to Section 510 as follows:

The unauthorized use of personal electronic communication devices, including, but not limited to: mobile / cellular telephones, smart phones, hand held wireless tablets / computers, Wi-Fi devices, and notebook computers while on the job is strictly prohibited.

The use of such devices is permitted only while on employee's breaks or lunch. Employees, who

make required telephone calls as part of their daily duties, must do so using Town of Collins telephones and/or radios at Town offices.

Employees who violate this policy will be subject to discipline, according to this manual, up to and including dismissal.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 276: MOVE TO SCHEDULED PUBLIC HEARING

Motion made by Supervisor Harvey, 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

Public Hearing – Local Law # 1 of 2011 - Property Tax Cap

The public hearing was declared open at 7:30 PM. Attorney Musacchio read the notice of public hearing

Supervisor Harvey explained this law will allow the town to adopt a budget for the year that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Supervisor Harvey asked for comments from the public. There were none so the public hearing was closed at 7:36 PM. The regular meeting was reconvened.

RESOLUTION # 277: ADOPTION OF LOCAL LAW # 1 OF 2011 TO OVERRIDE THE TAX LEVY LIMIT

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to adopt the following local law:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Collins, County of Erie pursuant to General Municipal Law § 3-c, and to allow the Town of Collins, County of Erie to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Collins, County of Erie is hereby authorized to adopt a budget for the fiscal year 2012 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Old Business

4. Recommendation – winter recreation 2011

RESOLUTION # 278: **HIRE WINTER RECREATION COUNSELORS**

Motion made by Councilman Gaylord, seconded by Councilman Butzer to hire the following winter recreation 2011 councilors: head counselor Jamie Krajewski; head cashier Jennifer Frontuto; craft coordinator Tina Marrocco and counselors: Megan King, John Peglowski, Christian Peglowski, Eric Darling, Cassandra Wnek, Rebecca Russell.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Jeff Johnson, recreation director asked the board about purchasing an electronic scoreboard, wheeled stand and carry bag.

RESOLUTION # 279: **APPROVE PURCHASE OF SCOREBOARD**

Motion made by Councilman Gaylord, seconded by Councilwoman Clark to approve the recreation department purchase of a BSN Sports electronic scoreboard, wheeled stand and carry bag for \$ 660.00 plus shipping.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

5. Recommendation to pay Russo Development for town hall drainage work

RESOLUTION # 280: **APPROVE PAYMENT TO RUSSO DEVELOPMENT FOR TOWN HALL DRAINAGE WORK**

Motion made by Councilman Tessmer, seconded by Councilwoman Clark that upon recommendation of Wm Schutt Associates the town authorizes payment to Russo Development, Inc. in the amount of \$4,000.00 per their proposal dates November 13, 2009 for work completed on the grading and seeding in front of the Town Hall.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Truck bid specs – next meeting

2. Park shelter bid specs were received from William Heim.

RESOLUTION # 281: **PUT PARK SHELTER SPECS OUT TO BID**

Motion made by Councilwoman Clark, seconded by Councilman Butzer to adopt the following resolution, to wit:

Whereas, the Town of Collins has resolved to develop the new town park, and

Whereas, part of this development includes construction of a picnic shelter, and

Whereas, there is an allocation in the 2011 budget to cover the cost of this construction.

Therefore, Be It Resolved, that the town board authorizes that a bid be let for the construction of a 30' x 60' picnic shelter, with an enclosure to be bid separately. That the enclosure be bid with and without skylights and the shelter to be bid with and without ceiling and that materials and labor be bid separately, reference certified bid specs.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

3. Change order #4 – Flavia project

RESOLUTION # 282: **APPROVE CHANGE ORDER #4 – FLAVIA**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to accept change order #4 from Cayuga Excavating, Inc. for the Flavia Circle project and grant an extension of time to June 20, 2011.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

4. Request for final payment - Cayuga

RESOLUTION # 283: **APPROVE REQUEST FOR PAYMENT**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve payment to Cayuga Excavating, Inc. for \$ 31,858.56 for work completed on the Collins Water District No. 1 Taylor Hollow Road and Flavia Lane interconnection as long as the pins and hydrants are changed.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

5. Letter of resignation from Gary Kwiatkowski for Parks and Recreation

RESOLUTION # 284: **ACCEPT RESIGNATION LETTER**

Motion made by Councilman Gaylord, seconded by Councilman Tessmer to accept with regret the resignation letter from Gary Kwiatkowski from the Parks and Recreation Advisory Committee and sent a letter of appreciation.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 285: **ADVERTISE FOR PARKS AND RECREATION ADVISORY COMMITTEE MEMBER**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to advertiser for a Parks and Recreation Advisory Committee member. Ads will be placed in the Gowanda and Springville Penny Savers for two weeks. Letters of interest will be accepted until 3:00 pm November 10, 2011.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

6. Set public hearing on 2012 preliminary budget

RESOLUTION # 286: **SET PUBLIC HEARING ON 2012 PRELIMINARY BUDGET**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to set a public hearing on the proposed 2012 budget November 7, 2011 at 7:30 pm

DEFEATED Aye 2 Gaylord, Harvey
 Nay 3 Butzer, Clark, Tessmer

Set special meeting Monday, October 24, 2011

RESOLUTION # 287: **SCHEDULE BOARD MEETING**

Motion made by Councilman Butzer, seconded by Councilwoman Clark to set a board meeting Monday, October 24, 2011 at 7:00 pm with all department heads present to go over the budget.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

7. Accept Supervisor's September monthly report

RESOLUTION # 288: **ACCEPT SUPERVISORS MONTHLY REPORT**

Motion made by Supervisor Harvey, seconded by Councilman Gaylord to approve the Supervisors September monthly report.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

New Topics – Discussion and Comments

Supervisor Harvey asked the board to think for further discussion regarding the late fees charged on the recreation credit card. Also, Mr. Harvey mentioned the USDA questionnaire that is to be filled out by board members and returned.

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Tessmer the meeting was adjourned at 8:55 pm in memory of Burt Bates.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie and the State of New York was scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 24th day of October 2011 at 7:00 pm.

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

Absent: Robert Gaylord, Councilman

Also Present: Ron Franz Chairman, Wayne Harvey water committee; Dan Kuligowski; Mary Stelley; Peter Waterman; Dan Stroud; Becky Grudzien; John Bentley; Charlie Grudzien; Chester Grudzien; Charlie Siegle; Sue Gamel budget officer; Kenneth Martin; Scott Williams; Jeff Johnson recreation director; and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 289: AGENDA APPROVAL

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

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
Nay 0

Old Business

1. USDA questionnaire has to be filled out by all board members and returned to budget officer or town clerk.

2. Assessor – Jeanne Ebersole and Sal Dicembre

RESOLUTION # 290: APPOINT ASSESSOR

Motion made by Supervisor Harvey, seconded by Councilman Tessmer to appoint Jeanne Ebersole as deputy assessor until December 31, 2011 pro-rated based upon rate stipulated in the contract.

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 291: SET SALARY TO ASSIST ASSESSOR

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to pay Sal Dicembre a stipend to assist Jeanne Ebersole, assessor at \$ 15.00 per hour for 2011.

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
Nay 0

3. Place new ad for park shelter bids

RESOLUTION # 292: BID PARK SHELTER

Motion made by Supervisor Harvey, seconded by Councilman Tessmer to take same specs for the park shelter and bid it out in kit form with same date of November 17, 2011. Bid opening will be at 3:00 PM.

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Set public hearing on 2012 Preliminary Budget

A motion was made and then withdrawn by Supervisor Harvey.

2. Agricultural district annual enrollment period

PUBLIC NOTICE**30-DAY PERIOD FOR INCLUSION OF
PREDOMINANTLY VIABLE AGRICULTURAL LANDS
INTO EXISTING AGRICULTURAL DISTRICTS**

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated November 1 through November 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from November 1 through November 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A hearing on the submitted applications for inclusion will be held on December 5, 2011 at Clarence Town Hall, 1 Town Place, Clarence, NY 14031 at 7:00 p.m.

Work on proposed 2012 budget:

Supervisor Harvey reported on his phone call to the Association of Towns regarding the budget process from tentative to preliminary. The article in the magazine will be changed so it will not be so confusing.

Highway Superintendent Jensen spoke of wanting to replace a truck to keep them on the replacement schedule. He is going to look into leasing a truck. Councilman Butzer feels the drop in sales tax is more than he feels it should be dropped.

Originally some raises were given and there was a \$300.00 health insurance cap increase but both were eliminated.

Ways to allocate water labor and expenses was discussed.

Scott Williams of parks and recreation requested their budget figures be changed closer to last years figures which were lowered to reflect the reduction in sales tax the town would receive. It was decided that the town would not pay for the bus driver's ticket.

The next meeting will be Monday, October 31, 2011 at 9:00 AM.

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey the meeting was adjourned at 11:00 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 31st day of October 2011 at 9:00 am.

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

Also Present: Ron Franze, chairman water commissioners; Matt Wurst; Mary Stelley and Samantha McDonnell reporter Observer

Meeting called to order at 9:00 pm with the pledge to the flag.

Went through proposed budget: the board received an update of funds covering a significant drop in court fees.

Erie County uses the 2010 census figure of 6,997 which includes a count from the reservation.

The Rosenberg fire district is looking at a 2% increase for each of three years. Supervisor Harvey has people looking into annexing part of that district into the Collins fire district.

Discussed division of water labor and expenses.

August 31, 2015 the lease on the transfer station property expires. Discussion covered town wide pickup, keep transfer station where it is or move it to the highway barns. An increase of \$.25 for medium and large stickers and a \$10.00 fee per pickup truck load was brought up.

RESOLUTION # 293: **ADOPT PRELIMINARY BUDGET AND SET PUBLIC HEARING ON 2012 BUDGET**

Motion made by Councilman Gaylord, seconded by Councilman Butzer to adopt the 2012 Tentative Budget as the 2012 Preliminary Budget and set a public hearing to be held on Monday, November 7, 2011 at 7:30 pm.

ADOPTED	Aye	5	Gaylord, Butzer, Clark, Tessmer, Harvey
	Nay	0	

With no further business, on a motion of Councilman Tessmer, seconded by Supervisor Harvey the meeting was adjourned at 10:30 am.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 7th day of November 2011 at 7:00 pm.

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

Also Present: Wayne Harvey water committee; Kenneth Martin; Dennis Jensen highway superintendent; Tom Siegle chairman, Dick Agle planning board; Dick Clark; Lois Johnson; Dave Johnson; Mary Stelley; Jeff Johnson; Anthony Rebmann; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 294: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 295: MINUTES APPROVAL

Motion made by Councilman Butzer, seconded by Supervisor Harvey to approve the minutes of the October 5th meeting as presented.

ADOPTED Aye 3 Butzer, Tessmer, Harvey
 Nay 0
 Abstained 2 Gaylord, Clark

RESOLUTION # 296: MINUTES APPROVAL

Motion made by Councilwoman Clark, seconded by Councilman Tessmer to approve the minutes of the Tuesday, October 17th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 297: MINUTES APPROVAL

Motion made by Supervisor Harvey, seconded by Councilman Tessmer to approve the minutes of the Tuesday, October 24th meeting as presented.

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
 Nay 0
 Abstained 1 Gaylord

RESOLUTION # 298: MINUTES APPROVAL

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to approve the minutes of the Tuesday, October 31st meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 299: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Butzer, that the bills be paid on abstract #21 for 2011 dated November 7, 2011, vouchers # 761 – 813 for \$ 51,178.59:

General – Town Wide	7,868.42	Water District #1	584.07
General – Part Town	710.55	Water District #3	801.76
Highway	7,719.74	Flavia Circle WD1	<u>31,858.56</u>
Special Lighting #1	975.96	Total	\$ 51,178.59

Special Refuse 659.53
ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

PUBLIC NOTICE

30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated November 1 through November 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from November 1 through November 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A hearing on the submitted applications for inclusion will be held on December 5, 2011 at Clarence Town Hall, 1 Town Place, Clarence, NY 14031 at 7:00 p.m.

Public Access

Dave Johnson, water committeeman said he will refuse taking the annual stipend as he was out of town.

Department Reports

Highway Superintendent Jensen reported four bins were filled on the last trash day.

Town Clerk Summers reported \$ 5,830.75 in sales for October – town portion \$ 4,239.63.

Zoning Board of Appeals received a variance request from Bill Gugino. It has been sent back to him for clarification of what he wants to do with the property.

Board Reports

Councilman Gaylord attended a recreation meeting last week for interviews of additional help.

Councilwoman Clark reviewed the vouchers.

Supervisor Harvey reported six bins of electronics have been accepted and picked up. Mr. Harvey attended the supervisors meeting last week.

New Business

RESOLUTION # 300: **APPROVE HIRING WINTER RECREATION WORKERS**

Motion made by Councilman Gaylord, seconded by Councilman Tessmer to approve hiring Robert Russell and Craig DeBruyne at \$ 9.30 per hour and Jessica Mercado at \$ 9.85 per hour immediately as counselors for the winter recreation program.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Jeff Johnson, recreation director asked about the old counseling room as it has been cleaned out and the LKP gym ceiling is getting worse.

Public Hearing – 7:30 pm – 2012 Preliminary Town Budget

RESOLUTION # 301: **MOVE TO SCHEDULED PUBLIC HEARING**

Motion made by Councilman Gaylord, 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 read the notice of public hearing.

Supervisor Harvey explained the 2% tax cap and went through the budget lines that showed an increase or decrease from last year's budget.

Comments were asked for from the public. After all wishing to be heard, the hearing was closed.

Supervisor Harvey declared the public hearing closed at 8:04 pm and asked the board if they have any questions.

Councilwoman Clark read a list of proposed changes to the preliminary budget which were discussed. Supervisor Harvey wants justification of change of labor in the water districts when time sheets reflect a different scenario of labor being 55/45%.

RESOLUTION # 302: APPROVE CHANGES TO PRELIMINARY BUDGET

Motion made by Councilwoman Clark, seconded by Councilman Tessmer, to make the following changes to the budget:

- 1) Reduce expenditures in A Fund by \$2,100 (to \$18,900 a reduction of 10%) in line A1110.110, Personal Services: Employees – Court Clerk, to synchronize with reduction in court revenue.
- 2) Increase revenue in A Fund by \$10,000 (to \$100,000) in line A2610, Fines and Forfeitures: Fines & Forfeited Bail.
- 3) These changes will result in a net reduction of \$12,100 in expenses over revenue in the A Fund, reducing the tax rate in this fund by approximately \$.09/thousand.
- 4) B Fund: Restore youth programs funding as follows:
Add \$2,500 (increasing line to \$23,000) in line B7310.101, Personal Services: Recreation Personal Service;
Ass \$1,500 (increasing line to \$32,750) in line B7310.102, Personal Services: Youth Services Personal Service.
- 5) Increase revenue in B Fund by \$4,000 (increasing line to \$154,000) in line B1120, Non-Property Tax Distribution by Client.
- 6) Increase Revenue in DB Fund by \$6,000 (increasing line to \$371,000) in line DB1120, Non-Property Tax Distribution by Client.
Increase expenditures by \$75,000 (increasing line to \$100,000) in line DB9950.900, Capital Reserve: Transfer to Reserve.
Increase Appropriated Fund Balance from \$156,357.13 to \$213,357.13.
Increase Revenues by \$12,000 (increasing line to \$175,445.99) in line DB1001, Real Property Taxes: Real Property Tax.
Increase Revenues by \$6,000 (increasing line to \$371,000) in line DB1120, Non-Property Tax Items: Non-Property Tax Distribution by Client.
These changes will result in a net increase in expenses over revenue of \$12,000, increasing the tax rate in the DB Fund by approximately \$.11/thousand, which combines with the decrease of approximately \$.09/thousand in the A Fund, remains within the 2% tax cap increase.
- 7) Due to large fund balance in SL1, Special Lighting, use \$523 from fund balance to increase revenues to reduce tax rate by 2%.
- 8) Change labor breakdown in Water Districts #1, 3 and 4 to 75%, 23% and 2% respectively, and recalculate Personal Services in these budgets to reflect new breakdowns.

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

Supervisor Harvey asked for a motion to adopt the 2012 budget. Councilman Gaylord would like to see the modified budget before voting on it.

RESOLUTION # 303: **APPROVE HEALTH INSURANCE COST**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey, to approve a health insurance cost increase to all full time employees on health insurance. Those employees that do not take the health insurance will receive a benefit the same as the \$300.00 stipend.

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

RESOLUTION # 304: **SET SPECIAL MEETING ON BUDGET**

Motion made by Supervisor Harvey, seconded by Councilwoman Clark, to set a special meeting on the budget for Tuesday, November 15, 2011 at 7:00 pm.

DEFEATED 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 9:30 Pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of November 2011 at 7:00 pm.

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

Also Present: Wayne Harvey water committee; Lois Johnson; Margaret Degenfelder; Dick Clark; Matt Wurst; Mary Stelley; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

Supervisor Harvey asked if there were any additional changes to the budget. Councilwoman Clark presented the following resolution.

RESOLUTION # 305: APPROVE CHANGES TO PRELIMINARY BUDGET AND ADOPT RESULTING BUDGET

Motion made by Councilwoman Clark, seconded by Councilman Tessmer that the town board make the following changes to the preliminary budget and then adopt the resulting budget as the final budget:

1. In SW1 (Collins) increase line 9950.210, Transfer to Reserve by \$25,000.00 (to \$100,000.00); amount to be taken from fund balance.

2. In SW5 (SW3) (Collins Center) to not appropriate any fund balance to finance budget. In line SE#-2144, Water Service Charges, reduce revenue by \$7,500.00 to (\$15,000.00), which will reduce the annual user assessment from \$131.00 to \$80.00.

ADOPTED Aye 3 Butzer, Clark, Tessmer
Nay 2 Gaylord, Harvey

RESOLUTION # 306: ADOPT BUDGET FOR 2012

Motion made by Councilwoman Clark, seconded by Councilman Tessmer that the town board adopts the budget for 2012.

ADOPTED Aye 3 Butzer, Clark, Tessmer
Nay 2 Gaylord, Harvey

With no further business, on a motion of Councilman Tessmer, seconded by Councilwoman Clark the meeting was adjourned at 7:19 Pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 21st day of November 2011 at 7:00 pm.

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

Also Present: Wayne Harvey water committee; Lois Johnson; Margaret Degenfelder; Doug Martindale; Dick Agle; Ken Martin; Dick Clark; Matt Wurst; Mary Stelley; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

PUBLIC NOTICE

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated November 1 through November 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from November 1 through November 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A hearing on the submitted applications for inclusion will be held on December 5, 2011 at Clarence Town Hall, 1 Town Place, Clarence, NY 14031 at 7:00 p.m.

RESOLUTION # 307: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 308: MINUTES APPROVAL

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to approve the minutes of the November 7th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark Tessmer, Harvey
Nay 0

RESOLUTION # 309: MINUTES APPROVAL

Motion made by Councilman Tessmer, seconded by Supervisor Harvey to approve the minutes of the Tuesday, November 15th meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

RESOLUTION # 310: ABSTRACT APPROVAL

Motion made by Councilwoman Clark seconded by Supervisor Harvey, that the bills be paid on abstract #22 for 2011 dated November 21, 2011, vouchers # 814 – 820 and 822 – 840 (deleting # 821 for \$480.00) for \$ 14,772.95:

General – Town Wide	3,558.14	Special Refuse	10.40
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General – Part Town	711.98	Water District #1	827.54
Special Lighting # 1	23.73	Water District #3	<u>391.16</u>
Helmuth	9,250.00	Total	\$ 14,772.95
ADOPTED Aye 5	Gaylord, Butzer, Clark, Tessmer, Harvey		
Nay 0			

Public Access

1. Doug Martindale presented the board with a list of maintenance issues needing at the LKP Community Center. There are three that should be addressed immediately. There is no one in the building for anyone to go to if something needs fixing. The windows and door have been installed in the VA room. The list will be given to the highway superintendent to coordinate workers.

BOARD REPORTS

Councilman Gaylord attended the recreation meeting and the Association of Erie County Governments meetings.

Councilman Butzer reviewed the vouchers.

Councilman Tessmer had a question on a water employee resigning.

Councilwoman Clark worked on the budget and reviewed the vouchers.

Old Business

1. Set public hearing for kennel permit renewals

RESOLUTION # 311: **SET PUBLIC HEARING ON RENEWAL OF KENNEL PERMITS**

Motion made by Councilman Gaylord, seconded by Supervisor Harvey to set a public hearing on Monday, December 19th at 7:30 pm to review the renewal of kennel permits.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

2. Increase in administrative and engineering costs - William Schutt Associates

RESOLUTION # 312: **APPROVE PAYMENT TO WILLIAM SCHUTT**

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

Whereas our engineering company, William Schutt Associates, submitted a request for payment additional work completed on the Water District 1 Flood Protection project on August 31, 2011, and

Whereas on behalf of the Town I requested that before payment was made, William Schutt & Associates complete and itemized list of the services performed that were above and beyond their original scope of work, and

Whereas William Schutt Associates submitted that list on October 11, 2011, satisfactorily detailing the additional work performed and identifying the causes.

Therefore, be it resolved that the total contract amount with William Schutt Associates for the WD1 Flood Protection project engineering services be increased by \$5,000.00, from \$22,150.00 to \$27,150.00 and that their payment be authorized.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Tessmer
Nay 1 Harvey

3. Speed study on Brewer Road – A letter was received from the State DOT regarding our request for speed limit reduction on Brewer Road advising us that a traffic engineering investigation has been initiated.

4. Park shelter bid – only one bid was received so board decided to rebid

RESOLUTION # 313: **REPUBLISH AD FOR BIDS FOR PARK SHELTER**

Motion made by Councilman Gaylord, seconded by Councilman Tessmer, to republish to solicit bids again on the park shelter for the November 27th issue of the penny saver. Bids will be accepted until December 14, 2011 at 3:00 PM.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Business

1. Rosenberg Fire Contract

RESOLUTION # 314: **SET PUBLIC HEARING ON FIRE DISTRICT**

Motion made by Councilman Tessmer, seconded by Councilman Gaylord, to set a public hearing on the Rosenberg Fire Protection District for December 19th at 8:00 pm.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Topics – Discussion and Comments

1. Gatsby 54 update

2. 2012 Budget – after changes to the budget at last the meeting one item came up with a negative number

RESOLUTION # 315: **APPROVE CHANGES TO 2012 BUDGET**

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

The changes made in the resolution to change the %'s of labor allocations to the water districts created a negative balance in one of the districts. The following changes are proposed as "housekeeping" transactions in order to correct those figures.

1) Water District #3: Appropriate \$0 Fund Balance to Finance Budget.

2) Increase appropriation line SW3 – 9710.651, Filtration System Bond, by \$3,941.98 (to \$5,924.09).

This will increase total appropriations to \$102,250.00, which, after subtracting Estimated Revenues of \$67,660.00, leaves the Amount to be Raised by Taxation @ \$42,090.00, and the tax rate as unchanged.

3) Water District #1: Increase line SW1-2270 by \$1,982.11 (to \$1,982.11) and reduce Fund Balance Appropriation to Finance Budget by \$1982.11 (to \$135,247.71), which leaves the Amount to be Raised by Taxation at \$53,238.00 and the tax rate as unchanged.

ADOPTED Aye 4 Gaylord, Butzer, Clark, Tessmer
Nay 1 Harvey

3. Employer contribution stabilization program

With no further business, on a motion of Councilman Tessmer, seconded by Councilman Butzer the meeting was adjourned at 7:58 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 5th day of December 2011 at 7:00 pm.

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

Also Present: Dennis Jensen highway superintendent; Gene Degman, Charlie Siegle code enforcement officers; Wayne Harvey, Ron Franze, Dave Johnson water committee; Lois Johnson; Margaret Degenfelder; Ken Martin; Doug Martindale; Dick Agle; Dick Clark; Matt Wurst; Richard Westlund reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 316: AGENDA APPROVAL

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

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 317: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Tessmer, that the bills be paid on abstract #23 for 2011 dated December 5, 2011, vouchers # 841 – 858 and 860 – 884 (excluding # 859 Councilwoman Clark would like the bill itemized) for \$ 104,168.88:

General – Town Wide	37,578.07	Water District #1	8,814.45
General – Part Town	4,034.35	Water District #3	4,716.76
Highway	46,708.32	Water District #4	40.13
Special Lighting # 1	1,021.01	Total	\$ 105,848.88
Special Refuse	2,935.79		

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 318: MINUTES APPROVAL

Motion made by Councilman Tessmer, seconded by Supervisor Harvey to approve the minutes of the November 21st meeting as presented.

ADOPTED Aye 5 Gaylord, Butzer, Clark Tessmer, Harvey
 Nay 0

Public Access

Doug Martindale reported the boiler at the LKP will be inspected next year. Some changes have to be made or we will fail the inspection. Mr. Martindale removed the electrical receptacle from the community meeting room.

Dave Johnson, president of the Lions' club asked to use the community meeting room on Friday night to put the wrapped toys in as the room previously used by the counselors has been taken over by the recreation. The thermostat in the Lion's room does not work to lower the heat. (Also the thermostat in the recreation lounge does not work.)

DEPARTMENT REPORTS

Code Enforcement officer – monthly report turned in

Highway superintendent Jensen reported he has three quotes to replace a wing on the 2004 Mack (#9). Last trash day filled four containers. In the past the town gave money to both fire department for Christmas lights and Mr. Jensen was asked about. Discussion to not exceed \$100.00 each.

Town Clerk reported sales of \$4,923.50 for November with the towns' portion \$ 3,854.88.
The water department has purchased three new radios.

The following three quotes were received for a right hand wing for the 2004 Mack truck (#9):

Cives Corporation, dba Viking Cives, Harrisville, NY	\$ 2,453.95
Cyncon Equipment, Inc., Rush, NY	2,900.00
Valley Fab and Equipment, Inc., Boston, NY	2,150.00

RESOLUTION # 319: **APPROVE PURCHASE OF WING FOR PLOW**

Motion made by Councilwoman Clark, seconded by Councilman Gaylord to purchase a new Everest Wing W-144-22 from Valley Fab and Equipment, Inc. for \$ 2,150.00.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

BOARD REPORTS

Councilman Butzer reviewed the vouchers.

Councilman Tessmer reported one letter of intent was received for the vacant position on the Parks and Recreation Advisory Committee; spoke with the attorney for the town regarding the assessor contract. Mr. Musacchio has not heard anything. Wm. Schutt Associates has put the town's water project in for project of the year. At the last water committee meeting Dan Stroud submitted his letter of resignation.

Councilwoman Clark reviewed the vouchers.

Old Business

1. Recreation advisory committee appointment

RESOLUTION # 320: **APPOINT RECREATION ADVISORY COMMITTEE MEMBER**

Motion made by Councilman Tessmer, seconded by Councilwoman Clark that the following resolution be:

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

Whereas, due to a vacancy on the Parks and Recreation Advisory Board the Town Board advertised for applicants to fill that vacancy, and

Whereas, the only letter of intent received was from David W. Butzer, and

Whereas, I spoke with both David Butzer and the Advisory Board Chairman, Scott Williams about the duties and qualifications for the position.

Therefore, be it resolved that David W. Butzer be appointed to the Parks and Recreation Advisory Board, to the term to expire December 31, 2015, effective December 6, 2011.

New Business

RESOLUTION # 321: **ACCEPT RESIGNATION OF WATER DEPARTMENT WORKER**

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to accept Daniel E. Stroud's retirement from the Town of Collins Water Department as of January 17, 2012.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
Nay 0

New Topics – Discussion and Comments

1. Eden food bank is proposing putting a building onto the back of the North Collins Senior Center on Route 62 in North Collins. He would like the board to go and look at it and become involved. Supervisor Harvey is not sure they service the Town of Collins.

2. Town master card – Since October 10th there has been a late fee on the recreation account that has not been paid or vouchered. The late fee is attributed because the voucher was not put in timely.

Lois Johnson asked what has been about the voucher for sweatshirts purchased for recreation. Supervisor Harvey stated nothing has been done. Sixteen hooded sweatshirts were purchased, 13 were needed – three extra. There is nothing in town saying we can pay for them. Councilman Gaylord said he was advised they have done this for seven years. Supervisor Harvey will look into this. Lois Johnson stated just because this has been done before it may not be right anymore and she recommends those who received them pay for them.

Charlie Siegle spoke with a resident of Ketchum Road regarding a part of it being washed out and the road marked closed. Highway Superintendent Jensen suggests the town send a letter to the county.

RESOLUTION # 322: **AUTHORIZE LETTER OF SUPPORT TO ERIE COUNTY**

Motion made by Councilman Gaylord, seconded by Councilman Butzer to send a letter of support to Erie County regarding Ketchum Road.

ADOPTED Aye 5 Gaylord, Butzer, Clark, Tessmer, Harvey
 Nay 0

With no further business, on a motion of Supervisor Harvey, seconded by Councilman Gaylord the meeting was adjourned at 7:52 pm.

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 scheduled at the Town Hall, 14093 Mill Street, Collins, NY on the 19th day of December 2011 at 7:00 pm.

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

Absent: Robert Gaylord, Councilman

Also Present: Wayne Harvey, Dave Johnson water committee; Matt Wurst; Lois Johnson; Margaret Degenfelder; Ken Martin; Dick Agle; Dick Clark; Scott Williams; Mary Stelley; Jeff Johnson; Richard Westlund reporter Gowanda Penny Saver News

Meeting called to order at 7:00 pm with the pledge to the flag.

RESOLUTION # 323: AGENDA APPROVAL

Motion made by Councilman Butzer, seconded by Supervisor Harvey to approve the agenda as presented.

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
 Nay 0

RESOLUTION # 324: MINUTES APPROVAL

Motion made by Councilman Tessmer, seconded by Councilwoman Clark to approve the minutes of the December 5th meeting as presented.

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
 Nay 0

RESOLUTION # 325: ABSTRACT APPROVAL

Motion made by Councilwoman Clark seconded by Supervisor Harvey, that the bills be paid on abstract #24 for 2011 dated December 19, 2011, vouchers # 821, 860 – 912, 914 – 915, 917, 919 - 921 - for \$ 13,540.67:

General – Town Wide	9,331.81	Special Refuse	80.27
General – Part Town	1,691.49	Water District # 1	1,848.34
Highway	38.32	Water District # 3	<u>527.71</u>
Special Lighting # 1	23.73	Total	\$ 13,540.67

ADOPTED Aye 4 Butzer, Clark, Tessmer, Harvey
 Nay 0

Public Access

Lois Johnson thanked the board for the room in the LKP Community Center for the loan of medical equipment and for the use of the building for the annual toy and food program. 75 families received food and approximately 60 families received toys for 177 kids. She was unhappy that she was told there would be no one in the community meeting room after 5:00 pm at the town board and recreation meetings. Recreation staff was in the room. Supervisor Harvey stated there would have to be better communication. Mrs. Johnson said they work very hard to keep the process confidential.

BOARD REPORTS

Councilman Butzer and Councilwoman Clark reviewed the vouchers.
 Councilman Tessmer will meet with Gene Degman and Dough Martindale at the LKP regarding the fire alarm system.

Old Business

1. Effective date of water rate increase – defer to next quarter to install increase after hold public

hearing for local law to increase water rates outside of the town code book. Attorney Musacchio will draft the local law.

2. Effective date of Water District No. 3 per tap charge – set proposed \$80.00 fee at next meeting.

RESOLUTION # 326: **CHANGE TAP FEE FOR LAST QUARTER OF 2011**

Motion made by Supervisor Harvey, seconded by Councilman Tessmer to lower the last payment of the 2011 per tap fee to \$ 29.72 from \$ 33.81.

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

3. Parks and Recreation Advisory board member – prorate stipend till end of year or start pay 1/1/2012

RESOLUTION # 327: **PROTATE RECREATION ADVISORY MEMBER'S STIPEND**

Motion made by Supervisor Harvey, seconded by Councilman Butzer to amend resolution # 320 to pay David Butzer a prorated stipend from \$ 405.00 for this year.

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

New Business

1. Accept Supervisor's monthly report for October.

RESOLUTION # 328: **ACCEPT SUPERVISOR'S REPORT**

Motion made by Supervisor Harvey, seconded by Councilwoman Clark to accept the supervisor's report for October 2011.

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

New Topics – Discussion and Comments

1. Park shelter bids were handed out to the board for review.

2. Resignation received from Kenneth Martin from Zoning Board of Appeals.

RESOLUTION # 329: **ACCEPT RESIGNATION FROM ZONING BOARD OF APPEALS MEMBER**

Motion made by Councilwoman Clark, seconded by Councilman Butzer to accept resignation from Kenneth Martin from the Zoning Board of Appeals effective December 31, 2011.

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

Public Hearing – Kennel Special Use Permit renewals

RESOLUTION #330: **MOVE TO SCHEDULED PUBLIC HEARING**

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

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. Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070
4. Karen Fedick, 13688 Brewer Road, Collins, NY 14034
5. Barbara Kinnaird, 13831 Route 62, Collins, NY 14034
6. Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
7. Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034
8. Christopher and Mindy Purdy, 12796 Ketchum Road, Lawtons, NY 14091
9. Renee and James Bauer-Martin, 3960 Brown Street, Collins, NY 14034

Comments were asked for from the floor. With no comments, the hearing was declared closed at 7:32PM.

RESOLUTION # 331: **APPROVE DOG KENNEL SPECIAL USE PERMITS**

Motion made by Supervisor Harvey, seconded by Councilman Tessmer, to approve the Dog Kennel Special Use Permit applications for the following applicants:

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. Howard Eimiller and Janet Eimiller, 15508 Breakers Lane, Gowanda, NY 14070
4. Karen Fedick, 13688 Brewer Road, Collins, NY 14034
5. Barbara Kinnaird, 13831 Route 62, Collins, NY 14034
6. Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
7. Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034
8. Christopher and Mindy Purdy, 12796 Ketchum Road, Lawtons, NY 14091
9. Renee and James Bauer-Martin, 3960 Brown Street, Collins, NY 14034

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

RESOLUTION #332: **MOVE TO SCHEDULED PUBLIC HEARING**

Motion made b 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 Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

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

Discussion covered rate increase for the three years of the contract. The first year is the same as last year; \$ 18,798.00 with a 3% increase in the next two years.

Comments were asked for from the floor. With no comments, the hearing was declared closed at 8:06PM.

RESOLUTION #333: **APPROVE ROSENBERG FIRE DISTRICT CONTRACT.**

Motion made b Supervisor Harvey, seconded by Councilman Tessmer, to execute the agreement between the Town and the Village of Gowanda for the Rosenberg Fire District covering a three year contract: 2012 \$ 18,798.00, 2013 \$ 19,362.00, 2014 \$ 19,942.00.

ADOPTED Aye 4 Butzer, Clark Tessmer, Harvey
Nay 0

With no further business, on a motion of Councilwoman Clark, seconded by Councilman Tessmer the meeting was adjourned at 8:16 pm.

Becky Jo Summers, Town Clerk