

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 7th day of January 2013.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Robert Gaylord, Councilman	Becky Jo Summers, Town Clerk
	Mary Clark, Councilman	Susan Gamel, Budget Officer
	Mary Stelley, Councilman	James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Gene Degman and Charlie Siegle Code Enforcement Officers; Wayne Harvey and Dave Johnson Water Advisory Committee; Dick Clark; Lois Johnson; Mike and Mary Brown; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

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

The 2013 Organizational Resolutions were gone through.

Resolution # 1 – 61: **2013 ORGANIZATIONAL RESOLUTIONS**

Motion made by Councilman Clark seconded by Councilman Stelley to adopt the following Organizational Resolutions for 2013 as presented:

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 banks of the Town of Collins as First Niagara Bank, and Community Bank, N.A.
8. Establishing the time of the Collins Town Board Meetings as the first and third Mondays of January, February, March, April, May, June, September, October, November and December at 7:00 PM; the second Monday of July and August at 7:00 PM. A workshop session will be held during the Board meetings held on the third Mondays. All meetings will be held in the Collins Town Hall, and when the meeting date falls on a legal holiday, it shall be held on the following business day.
9. Authorizing the Superintendent of Highways to rent equipment at rates not to exceed NY State rates.
10. Setting the mileage rate expense incurred while on Town business at 45 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 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. Setting the salaries of the Assessment Board of Review members at \$281.00 each annually.
20. Setting the salary of the Attorney for the Town at \$11,255.00 annually.
21. Setting the salary of the full-time Town Budget Officer/Bookkeeper at \$18.95 per hour.
22. Setting the salary of Gene Degman; Code Enforcement Officer at \$7,955.00 annually, and Charles Siegle; Assistant Code Enforcement Officer at \$5,465.00 annually.
23. Setting the salary of the elected Town Clerk at \$38,352.03 annually.
24. Setting the salary of the appointed Deputy Town Clerk at \$11.45 per hour.
25. Setting the salary of Mary Dankert, Dog Control Officer at \$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 \$51,259.77 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 \$54,759.77.
28. Setting the salary of the experienced Highway Department workers (Motor Equipment Operators) as follows: Peter Waterman at \$21.57 per hour; Nicholas Gernatt at \$21.30 per hour and Mark Hobson at \$21.06 per hour.
29. Setting the salary of the Highway Department Automotive Mechanic at \$22.29 per hour until November 5, 2013 anniversary of step increase to \$ 22.88 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. That Mark Hobson serve as Water Department Backup trainee / worker for an additional \$1,000.00 annually
34. Setting the salary of Irvine Gaffney, Town Historian at \$200.00 annually
35. Setting the salary of the two (2) elected Town Justices at \$14,206.00 each annually.
36. Appointing Karen Smith as Justice Court Clerk, and setting the salary of the two (2) Court Clerks at \$8,250.00 each annually.

37. Appointing Scott Martindale as Caretaker at \$10.00 per hour
38. Appointing Doug Martindale as Laborer (Buildings & Grounds) at \$7,000.00 annually
39. Setting the salary of the members of the Town of Collins Parks & Recreation Committee at \$405.00 each annually, appointing Scott Williams as Chairman to receive \$200.00 additional per year, and appointing Dane Stocker as Secretary to a five-year term to expire December 31, 2017, receiving \$100.00 additional per year.
40. Setting the salary of the Town of Collins Planning Board Members at \$785.00 each annually and appointing Joan Fallon to a five-year term to expire December 31, 2017.
41. Setting the salary of the Chairman of the Planning Board at an additional \$600.00 annually.
42. Appointing James Musacchio as Town Prosecutor at \$3,090.00 annually.
43. Appointing Jeanne Ebersole as Town Assessor at \$18,000.00 annually
44. Setting the salary of the Registrar of Vital Statistics at \$400.00 annually.
45. Appointing the Deputy Town Clerk as Deputy Registrar of Vital Statistics at no salary.
46. Setting the salary of Joan Byrne, Seniors Program Coordinator at \$11.70 per hour.
47. Setting the salary of Pat Tucker, Seniors Program Assistant at \$9.30 per hour.
48. Setting the salary of Jeff Johnson, Summer Recreation Program Coordinator at \$2,625.00 annually.
49. Setting the salary of the Summer Beautification and Recreation program probationary (first year) youth workers at \$8.75 per hour and returning workers at \$9.30 per hour.
50. Setting the salary of the two (2) Summer Recreation program Head Counselors and the Craft Coordinator at \$9.80 per hour.
51. Setting the salary of Tammy Utle, Kenneth Tyger, Mark Mangano and Scott Bove as Transfer Station Attendants at \$9.85 per hour.
52. Setting the salary of Matthew Wurst, Water Maintenance Worker for all water districts at \$20.54 per hour until August 5, 2013 anniversary of step increase to \$21.12 per hour.
53. Setting the salary of the Town of Collins Water Advisory Committee members at \$1,170.00 each annually and appointing Ron Franze, chairman to a three-year term to expire December 31, 2015 and David Johnson to a three-year term to expire December 31, 2014.
54. Setting the salary of Jeffrey Johnson, Youth Service Director at a salary of \$7,495.00 annually.
55. Setting the salary of the members of the Zoning Board of Appeals at \$115.00 each annually, and appointing David Johnson to a five-year term to expire December 31, 2017.
56. Setting the salary of the Youth Services Head Associate at \$9.80 per hour, the Associate with concession manager responsibilities at \$9.80 per hour, the Craft Coordinator Associate at \$9.80 per hour, the Associates at \$9.30 per hour and the Probationary Associates at \$8.75 per hour.
57. That the Tax Collector collect a \$1.00 surcharge for delinquent taxes for 2013 and \$1.00 for copies of tax bills.
58. Appointing Becky Jo Summers as the ADA Coordinator, Affirmative Action Officer and Bingo Inspector at no additional salary.

59. To adopt the Town Investment Policy.

60. To adopt the Town Procurement Policy.

61. To adopt the Town Rules of Procedure.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Discussion held on salary for both court clerks. It will be looked at in approximately 90 days.

Departmental Appointments for 2013

Supervisor Tessmer appointed Irvine Gaffney as Town Historian, Susan Gamel as Budget Officer/Bookkeeper, Mary Clark as Deputy Supervisor and James Musacchio as Attorney for the Town.

Town Clerk Summers appointed Joanne Kibler as Deputy Town Clerk.

Highway Superintendent Jensen appointed Peter Waterman as Deputy Highway Superintendent.

RESOLUTION # 62: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 63: MINUTES APPROVAL

Motion made by Councilman Clark seconded by Councilman Martin to approve the minutes of the Monday, December 17th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 64: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #23 for 2012 dated January 7, 2013 for listed vouchers # 930 - 973 for \$ 30,306.98 and abstract #1 for 2013 dated January 7, 2013, vouchers # 1 – 9 for \$ 87,365.65.

Abstract # 23 - 2012

General – Town Wide	10,749.65	Water District #1	135.16
General - Part Town	1,324.17	Water District #3	25.46
Highway	14,239.91	Water District #4	<u>2,440.68</u>
Special Lighting #1	1,123.52	Total	\$ 30,306.98
Special Refuse	268.43		

Abstract # 1 - 2013

General – Town Wide	45,361.05	Water District #1	4,694.24
General - Part Town	1,893.21	Water District #3	1,439.57
Highway	33,148.87	Water District #4	<u>125.17</u>
Special Refuse	703.54	Total	\$ 87,365.65

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Our liaison from the Sheriff's Department is Daniel Centinello at 517-1072.

Public Access

It was asked how many applications were received for the Parks and Recreation Advisory Committee. Two.

Department Reports

Attorney Musacchio reported we have an assessment case with the owners of the Ames property. Code Enforcement submitted their December and 2011 annual reports.

Highway Superintendent Jensen reported we have had 29 ½" of snow; last trash day had two containers and a motion light was installed at the transfer station. Both code enforcement officers were thanked for showing up at the previous fires. Mr. Jensen feels they should have vests and flashlights.

Parks and Recreation Advisory Committee December minutes were received.

Town Clerk Summers reported income of \$ 4,384.50, with the town receiving \$3,696.81.

Water committee reported we are still pumping water to the state for maybe one more week; National Grid is changing transformers on Taylor Hollow Road. It was asked if log books are going to be used for all vehicles – yes.

Board Reports

Councilwoman Martin attended Helmuth advisory meeting.

Councilman Stelley reviewed the vouchers and updated the website.

Councilman Gaylord reviewed the vouchers.

Old Business

1. Town board committee and liaisons appointments

Liaisons:

Association of Erie County Governments	David Tessmer, Mary Clark (alternate)
Helmuth Advisory Board	Kenneth Martin
Highway / Transfer	Mary Clark
NEST	Rob Gaylord
Rural Transit	David Tessmer
Prison Advisory	Kenneth Martin
Seniors	David Tessmer
Parks & Recreation	Rob Gaylord
Southtowns Planning & Development	Mary Stelley
Water	Kenneth Martin

Committees:

Insurance	Rob Gaylord, Mary Clark
Personnel	Mary Stelley, Mary Clark
Finance	Rob Gaylord, Mary Stelley
Codes	Kenneth Martin, David Tessmer, James Musacchio, Planning Board Chairman
Buildings / Grounds	Kenneth Martin, Rob Gaylord, Becky Summers, Doug Martindale
Workplace Violence	Mary Stelley, Mary Clark
Safety	David Tessmer, Mary Stelley, Mark Hobson, Matthew Wurst, Susan Gamel, Joan Byrne, Jeff Johnson
Water	Kenneth Martin, David Tessmer
IT / Website	Mary Clark, Mary Stelley

2. Newly elected / appointed officials need to do a time log of the first three months for retirement.

New Business

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

RESOLUTION # 65: **APPROVE AGREEMENT TO SPEND HIGHWAY FUNDS**

Motion made by Councilman Gaylord seconded by Councilman Clark that the Town Board hereby approves entering into agreement with Dennis Jensen, Highway Superintendent for the

2013 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 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

2. Resolution needed to accept the November 2012 Supervisors report

RESOLUTION # 66: **ACCEPT NOVEMBER 2012 SUPERVISORS REPORT**

Motion made by Councilman Stelley seconded by Councilman Gaylord to accept the Town of Collins Supervisor's Report as submitted, for the month of November 2012.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

3. Resolution to modify rental rates for LK Painter Community Center

RESOLUTION # 67: **MODIFY RENTAL FEES AT LK PAINTER COMMUNITY CENTER**

Motion made by Supervisor Tessmer seconded by Councilman Clark to modify the room rental fees as follows for the LK Painter starting January 2013:

Kitchen or Classrooms, per hour	\$10.00; daily maximum \$50.00
Gymnasium, per hour	\$20.00; daily maximum \$60.00
Annual programs, per month	\$100.00

Community based not-for-profit (501C3) organizations that provide programs and/or services to Town of Collins residents may be exempted from this fee schedule, upon proof of not-for-profit status and Town resident participation.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Next meeting: 2013 Town Board Objectives and Goals

With no further business, on a motion of Councilman Martin, seconded by Councilman Clark the meeting was adjourned at 9:00 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 held at the Town Hall, 14093 Mill Street, Collins, NY on the 22nd day of January 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilman
 Mary Stelley, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Wayne Harvey Water Advisory Committee; Dick Clark; Matt Wurst; Scott & Cami Williams; Jeff Johnson and Richard Westland reporter Gowanda Penny Saver News

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

RESOLUTION # 68: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 69: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the Monday, January 7th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 70: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #24 for 2012 dated January 22, 2013 for listed vouchers # 974 - 988 for \$ 24,386.29 and abstract #2 for 2013 dated January 22, 2013, vouchers # 10 – 43 for \$ 32,631.02.

Abstract # 24 - 2012

General – Town Wide	8,472.60	Water District #1	2,536.59
General - Part Town	319.41	Water District #3	506.52
Highway	8,245.38	Water District #4	<u>9.58</u>
Special Lighting #1	23.73	Total	\$ 24,386.29
Special Refuse	4,272.48		

Abstract # 2 - 2013

General – Town Wide	4,696.40	Water District #1	374.96
General - Part Town	877.72	Water District #3	2,282.97
Highway	24,341.57	Water District #4	<u>0.40</u>
Special Refuse	57.00	Total	\$ 32,631.02

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Old Business

RESOLUTION # 71: APPROVE BUDGET MODIFICATIONS AND TRANSFERS

Motion made by Councilman Gaylord seconded by Councilman Stelley to approve the following budget modifications and transfers:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Modifications:

A Fund

Modify Revenue for Liberty Fest:	A2089 Other Culture and Recreation Income	2,197.90
	A2705 Gift and Donations	4,875.00
Modify Expenditure for Liberty Fest:	A7550.410 Celebrations - Liberty Fest	7,072.90

Transfers:

A Fund

FROM:TO:

A1355.100	Assessors - Personal Services	254.63	A1355.400	Assessors Contractual	254.63
A1620.490	Shared Services - Janitorial	7,500.00	A1620.400	Shared Svs - Personal Srvcs	1,749.78
A1940.400	Contingency Fund	8,235.10	A1620.460	Shared Services - Supplies	2,474.53
			A1620.470	Shared Services - Imprvmnts	11,510.79
A1989.000	Unclassified (Fxd Assets, etc.)	475.00	A1950.000	Taxes & Assessments	475.00
A5010.400	Transportation Admin. - Contr	270.25	A3310.200	Traffic Control Equipment	270.25
A5010.400	Transportation Admin. - Contr	48.96	A5132.450	Highway Water	48.96
A1989.000	Unclassified (Fxd Assets, etc.)	701.25	A7550.400	Celebrations - Music/Park	701.25
A1989.00	Unclassified (Fxd Assets, etc.)	654.23	A7550.410	Celebrations - Liberty Fest	654.23
Total		16,783.94	Total		16,783.94

B Fund

FROM:TO:

B7110.100	Parks - Personal Service	5,425.53	B7310.101	Yth Prgms - Rec Personal	2,107.68
			B7310.401	Youth Programs - Contract	3,317.85
B9030.800	Employee Benefits – Soc. Sec.	474.82	B9040.800	Workers Compensation	474.82
Total		5,900.35	Total		5,900.35

DB Fund

FROM:TO:

DB5110.400	Hwy Part Town - Contractual	728.15	DB5110.402	Hwy Pt Town- Contra Gas	728.15
DB5142.400	Snow - Contractual	4,860.70	DB5142.402	Snow Contractual - Gas	474.23
			DB5142.403	Snow Contractual - Salt	4,386.47
DB5148.400	Snow County Contractual	9,473.08	DB5148.403	Snow County Cont. - Salt	9,473.08
DB9030.800	Employee Benefits - Soc Sec.	750.14	DB9040.802	Compensation Insurance	750.14
Total		15,812.07	Total		15,812.07

SR Fund

FROM:TO:

SR9010.800	Workers Compensation	750.14	SR9010.800	Retirement	750.14
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SW1 Fund

<u>FROM:</u>		<u>TO:</u>	
SW1-9010.810 Retirement	1,048.86	SW1-9040.810 Compensation Insurance	1,048.86
SW3 Fund			
<u>FROM:</u>		<u>TO:</u>	
SW3-9710.651 Filtration Bond	0.01	SW3-9710.751 Filtration Bond Interest	0.01
SW4 Fund			
<u>FROM:</u>			
SW4-8320.456 Source of Supply, Meters,	12.10	SW4-8320.436 Source Supply Power Tools,	12.10

REGULAR MEETING

TOWN OF COLLINS

JANUARY 22, 2013 3

New Business

1. Resolution to purchase two sets of bleachers for Collins Town Park – old bleachers will be declared scrap.

RESOLUTION # 72: **APPROVE PURCHASE OF BLEACHERS FOR COLLINS PARK**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord to purchase two sets of 4-row aluminum bleachers at \$900.00 each, to replace wooden bleachers at Collins Town Park, from E and D Specialty Stands of North Collins and upon installation declare old bleachers scrap.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

2. Resolution to purchase three benches for Collins Town Park walking path

RESOLUTION # 73: **APPROVE PURCHASE OF BENCHES FOR COLLINS PARK**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord to purchase three model B6WBRCs benches – with backs and gloss finish in green and black – for \$1,429.00 including shipping, for the Collins Town Park walking path from Summit Supply Corporation of Colorado.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

3. Resolution to eliminate Parks & Recreation Advisory Committee – during the past year there has been discontent with the different layers of government and would like to replace the boards with two board members. There also seems to be two schools of thought of what these boards are supposed to do. The boards are to recommend to the town board. Communication between all has been a problem and minutes rarely are passed on. Six months will be given to fix the problems.

RESOLUTION # 74: **APPROVE ELIMINATION OF PARKS & RECREATION ADVISORY BOARD**

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

Whereas, the Town currently has positions on the Town Parks and Recreation Advisory Committee, and

Whereas, the primary role of the Committee is to advise the Town Board on issues relating to the Town's youth recreation program, senior recreation program, and parks, and

Whereas this committee structure adds an ineffective and cost-prohibitive level of administration and oversight and,

Whereas a more efficient method of oversight is to assign two Town Board members to work directly with the respective department heads to facilitate the goals and objectives of the Town Parks and recreation programs.

Therefore be it resolved that effective January 22, 2013, the Town of Collins Parks and Recreation Committee positions be eliminated and current members be notified in writing by the Town Supervisor, and

Be it Further Resolved that the Town Supervisor appoints two Town Board members to act as liaisons to the Parks and Recreation departments.

DEFEATED Aye 1 Tessmer
Nay 4 Martin, Stelley, Gaylord, Clark

4. Resolution to eliminate Water Advisory Committee

RESOLUTION # 75: **APPROVE ELIMINATION OF WATER ADVISORY BOARD**

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

Whereas, the Town currently has positions on the Town Water Advisory Committee, and

Whereas, the primary role of the Committee is to advise the Town Board on issues relating to the Town's Water Department, and

Whereas this committee structure adds an ineffective and cost-prohibitive level of administration and oversight and,

Whereas a more efficient method of oversight is to assign two Town Board members to work directly with Water Department personnel and the Highway Superintendent to facilitate the goals and objectives of the Town Water Department.

Therefore be it resolved that effective January 22, 2013, the Town of Collins Water Advisory Committee positions be eliminated and current members be notified in writing by the Town Supervisor, and

Be it Further Resolved that the Town Supervisor appoints two Town Board members to act as liaisons to the Water Department.

ADOPTED Aye 3 Stelley, Clark, Tessmer

Nay 2 Martin, Gaylord

5. Proposed Revisions to Town Building Permit Fees were handed out to board members to go over for next meeting. Building fees can now be changed by town board resolution.

6. Town policy on vehicle use and mileage log sheets

Copies of two resolutions November 5, 2007 and October 6, 2008 # 241 and a statement from June 2, 2008 were given to the board members. Supervisor Tessmer will give a copy of these three and mileage log sheets to everyone that drives town vehicles

7. Resolution accepting Supervisor's December 2012 monthly report

RESOLUTION # 76: **ACCEPT SUPERVISORS DECEMBER 2012 MONTHLY REPORT**

Motion made by Councilman Gaylord seconded by Councilman Martin to accept the Town of Collins Supervisor's report as submitted, for the month of December 2012.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

Workshop Topics

2013 Objectives and goals – Supervisor Tessmer handed out a list of the goals and objectives and the 2013 capital projects.

With no further business, on a motion of Councilman Clark, seconded by Supervisor Tessmer the meeting was adjourned at 9:55 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 4th day of February 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilman
 Mary Stelley, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Dick Agle, Dick Clark; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

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

RESOLUTION # 77: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 78: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the Tuesday, January 22nd town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 79: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Clark that the bills be paid on abstract #25 for 2012 dated February 4, 2013 for listed vouchers # 989 - 990 for \$ 3,060.91 and abstract #3 for 2013 dated February 4, 2013, vouchers # 44 - 58 for \$ 12,120.49.

Abstract # 25 - 2012

General – Town Wide	3,060.91
Total	\$ 3,060.91

Abstract # 3 - 2013

General – Town Wide	9,787.89	Water District #1	492.69
General - Part Town	307.60	Water District #3	144.69
Special Lighting #1	1,330.42	Water District #4	24.46
Special Refuse	32.74	Total	\$ 12,120.49

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Departmental Reports

Code Enforcements Officers – no permits were issued in January

Highway department will have information to replace the 1972 roller; purchased a storage cabinet for paint, will pick up the park bleachers Wednesday, will attend a safety course on February 21st and have we received 76" of snow in January and February.

Parks and Recreation discussed upcoming projects.

Planning board will meet next week.

Town Clerk reported January sales of \$4,515.80 with the town's portion of \$ 4,393.30 and the 2013 taxes have been received.

Water – met last week and set meeting dates for the year; have been pumping water to the prison; starting to update customer information cards; prioritizing projects. Councilman Martin put together a shut-off procedure and he will be the hearing officer.

Board Reports

Councilman Martin reported the LKP Community Center old files have all been cleared out and there are seven file cabinets for town use; received the Helmuth call summary report and attended the Collins Center Fire Department Installation Dinner.

Attorney Musacchio arrived at 8:00 pm.

Councilman Stelley reviewed the vouchers updated the website; attended the Collins Center Fire Department Installation Dinner; attended the building meeting and helped Jeff Johnson do the recreation Erie County reports.

Councilman Gaylord attended the recreation meeting, building meeting, Gowanda Area Redevelopment meeting and attended the Collins Center Fire Department Installation Dinner and reviewed the vouchers.

Councilman Clark met with Matt Wurst and the engineer on the LKP.

Supervisor Tessmer attended the water and building meetings, reported there is a Cub Scout group that wants to use the LKP and attended the Collins Center Fire Department Installation Dinner.

Old Business

1. Revised building permit fees were gone over and were sent to the planning board to redo some of them.

2. Parks and Recreation Advisory Committee draft policies and procedures were handed out to board members and were read by Councilman Clark. Discussion that the seniors program is part of this committee ensued. Stipends would be pro-rated for the year.

3. Committee meeting minutes, meeting dates and agendas – At the first meeting of the year it was stated all committees are to hand in minutes, dates and agendas; none have been received.

New Business

1. Collins Town Park boundary survey – Councilman Martin did a walk through of the park, got copies of the four deeds of the property and explained to the board the acquisition of and boundaries. Mr. Martin feels the town should have the property surveyed. Attorney Musacchio will contact the surveyor with copies of the deeds and maps.

2. CAO tax preparation assistance and HEAP outreach information is made available to residents.

3. Excess sales tax distribution for 2012 was received in the amount of \$32,525.34 and will be deposited to the B Fund.

RESOLUTION # 80: APPROVE EXCESS SALES TAX TO B FUND

Motion made by Supervisor Tessmer seconded by Councilman Gaylord to put the excess sales tax revenue in the B Fund.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

4. Transfers to reserve

RESOLUTION # 88: APPROVE 2012 TRANSFER TO RESERVES

Motion made by Supervisor Tessmer seconded by Councilman Clark to approve the following 2012 transfers to reserve:

Fund	Budgeted:	Transfer from:	To:
A	\$ 15,000.00	A9950.900 Transfer to Reserve	A230 Capital Reserve
B	\$ 2,250.00	B9950.900 " "	B202 Capital/Repair Reserve
DB	\$ 100,000.00	DB9950.900 " "	DB202 Capital Reserve
SR	\$ 5,000.00	SR8160.240 Refuse Garbage To Reserve	SR230 Capital Reserve

SW1 \$100,000.00 SW1—50.900 Transfer to Capital

SW!231 Capital Reserve

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 82: **ENTER IN EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Martin that the Board moves into an executive session at 9:25 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion discipline of removal

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 83: **RETURN TO REGULAR SESSION**

Motion made by Councilwoman Clark seconded by Councilman Stelley that the Board returns to regular session at 10:30 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

With no further business, on a motion of Councilman Stelley, seconded by Councilman Clark the meeting was adjourned at 9:55 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 19th day of February 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilman
 Mary Stelley, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Dick Agle, Dick Clark; Scott & Cami Williams; Jeff Johnson; Walker Green; Richard Westland reporter Gowanda Penny Saver News

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

RESOLUTION # 84: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 85: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the Tuesday, February 4th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 86: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Clark that the bills be paid on abstract #4 for 2013 dated February 19, 2013, vouchers # 59 – 105 for \$ 45,746.17.

General – Town Wide	4,214.91	Water District #1	2,511.57
General - Part Town	1,755.98	Water District #3	258.97
Highway Fund	35,696.95	Water District #4	2.59
Special Lighting #1	23.39	Total	\$ 45,746.17
Special Refuse	1,281.81		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Old Business

1. Final 2012 budget transfers and modifications

RESOLUTION # 87: APPROVE 2012 BUDGET TRANSFERS AND MODIFICATIONS

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord to approve the following 2012 Budget Transfers & Modifications (attached):

FROM:	TO:
A Fund	
A1989.000 2,325.61	A1340.100 Budget Officer Personal Services 145.20
	A1355.400 Assessors Contractual 1,200.00
	A1900.100 Shared Srvc Thal/LKP Personal Servo 425.00
	A1620.460 Shared Service Thal LKP Supplies 107.54
	A1620.470 Shared Service Thal LKP Improvements 393.22
	A7550.400 Celebrations -Music in the Park 54.65
	Total 2,325.61
B Fund	
B7110.100 149.95	B3620.400 Building Inspectors Contractual 20.96

		B7110.400 Parks Contractual	128.99
		Total	149.95
DB Fund			
D85142.404	1,677.03	DB5142.401 Snow Contractual-Diesel	1,677.03
DB5148.400	1,020.61	DB5148.401 Snow Co. Contractual -Diesel	1,020.61
Total	2,697.64	Total	2,697.64
SR Fund			
SR8160.100	1,409.99	SR8160.400 Contractual	1,409.99
SW4 Fund			
SW4-8360.461	225.30	SW4-8320.426 Purchase Water	208.40
		SW4-9010.860 Retirement	16.90
			225.30
ADOPTED	Aye 5	Martin, Stelley, Gaylord, Clark, Tessmer	
	Nay 0		

New Business

1. Resolution to appoint planning board chairman

RESOLUTION # 88: **APPOINT PLANNING BOARD CHAIRMAN**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to appoint Brian Martin Planning Board Chairman, effective February 19, 2013.

ADOPTED Aye 4 Stelley, Gaylord, Clark, Tessmer

Nay 0

Abstained 1 Martin

2. Resolution to support West Valley cleanup – Councilman Gaylord will have a resolution for the next meeting.

3. Resolution to adopt Parks & Recreation Advisory Committee Restructuring guidelines

Councilman Gaylord read Dane Stocker's resignation effective January 1, 2013. Councilman Clark read the guidelines and recommendations. One concern was expressed of serving with no pay on a volunteer basis. Councilman Gaylord feels the chairman and secretary should get a stipend. After discussion, all three members would get the stipend.

RESOLUTION # 89: **ADOPT PARK AND RECREATION ADVISORY COMMITTEE RESTRUCTURING GUIDELINES**

Motion made by Councilman Clark, seconded by Councilman Martin to adopt the following resolution:

Whereas, the Town of Collins had, for many years, a Parks and Recreation Commission, and

Whereas, several years ago, the Commission was changed to a Parks and Recreation Advisory Committee, with some written, as well as some unwritten, guidelines, and

Whereas, the Town Board of the Town of Collins has concluded that the guidelines for this Advisory Committee are to be changed to determine whether the Committee should be disbanded or whether it can be restructured to better serve the needs of the Parks and Recreation Department and of the Town.

Therefore, Be it Resolved that the Town Board of the Town of Collins accept the following guidelines, and re-evaluate the function of the Parks and Recreation Advisory Committee after six months of the date this resolution becomes effective.

Guidelines for Parks and Recreation Advisory Committee Restructure:

The purpose of the Committee is to represent the community in making recommendations, with the input of the Recreation Director, in regard to issues facing the Youth Recreation Program, the Summer Recreation Program, the Beautification Program, and the development and use of the Town Parks. While the Recreation Director cooperates with the Committee in making recommen-

dations, the Director reports to the Town Board.

Recommendations for restructuring the Committee:

Reduce Committee to 3 members.

Set meeting date and time and post as scheduled time, not to be changed without 72 hours notice posted at Town Hall and on Town Website. Town meetings are open to the public and are therefore required to be at set times.

Committee must record minutes for any meeting held, including all agenda items discussed, together with a list of attendees and provide written copies to Town Board members each month, prior to the first regularly scheduled Town Board meeting. Copies shall also be distributed to Committee members and liaison(s), prior to the next scheduled Committee meeting.

All recommendations are to be submitted in writing no later than the Wednesday before the Board meeting at which they are to be discussed. The recommendation should contain the vote by member. If the recommendation includes a possible purchase estimated to be over \$500.00 and less than \$3,000.00, it should include an estimate obtained from at least one vendor; this can be done by the Recreation Director. The Committee should set the base specifications for the item(s) requested to be purchased.

Chairman is to prepare a written agenda to be distributed to attendees and posted on Town Website. Agenda items may be submitted to Chairman no less than 3 days before the meeting, or may be added at meeting by majority vote. Chairman should call meeting to order, conduct meeting, and adjourn the meeting.

The committee will interview prospective employees for the programs named, and make written hiring recommendations to the Town Board. Personnel Committee will attend interviews, and will have input in hiring recommendations, but will not participate in the vote.

Present Position Duties will be modified to reflect said guidelines after approval by Town Board.

ADOPTED Aye 4 Martin, Stelley, Gaylord, Clark

Nay 1 Tessmer

Workshop Topics – Discussion and Comments

1. Town Code Book - Councilman Martin went through his handout explaining what has been done and what has to be done.

2. Supervisor Tessmer made a long-term lease agreement up and will make a short-term one up.

3. A labor estimate was handed out for the upstairs northeast room at the LKP for painting and repairs for a total cost of \$ 966.00.

RESOLUTION # 90: AWARD LKP PROJECT TO DOUGLAS MARTINDALE

Motion made by Supervisor Tessmer, seconded by Councilman Clark to award the project to Doug Martindale to repair and paint the second floor northeast room for \$ 966.00

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

4. Supervisor Tessmer went over the engineering agreement from Wm Schutt Associates for the LKP window, exterior and emergency generator project at a cost of \$ 19,450.00 for engineering costs.

RESOLUTION # 91: ENTER INTO AGREEMENT WITH WM SCHUTT ASSOCIATES

Motion made by Supervisor Tessmer, seconded by Councilman Clark to enter into agreement and sign the contract.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

With no further business, on a motion of Councilman Stelley, seconded by Councilman Clark the meeting was adjourned at 8:40 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 4th day of March 2013.

Present: David Tessmer, Supervisor
Robert Gaylord, Councilman
Mary Clark, Councilman
Mary Stelley, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Others Present: Dennis Jensen Highway Superintendent; Charles Siegle Code Enforcement Officer; Wayne Harvey; Richard Clark; Doug Martindale; Dick Agle; Walter Cain; Doug Zureck and Richard Westland reporter Gowanda Penny Saver News

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

RESOLUTION # 92: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 93: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the Tuesday, February 19th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 94: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #5 for 2013 dated March 4, 2013, vouchers # 106 – 153 for \$ 223,108.41.

General – Town Wide	11,349.85	Special Refuse	114.07
General - Part Town	3,603.18	Water District #1	2,688.22
Highway Fund	18,457.92	Water District #3	807.03
Collins Fire District	184,836.71	Water District #4	33.95
Special Lighting #1	1,217.48	Total	\$ 223,108.41

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Public Access:

1. Doug Zureck lives at the east end of the town and does not receive the Gowanda Penny Saver to know what is going on in town. He would like to see the minutes in the Springville Journal. He congratulated the town on their snow plowing job but the county roads have problems. Mr. Zureck lives nine miles from the transfer station and with the cost of travel, stickers and amount on tax bills he wonders if it wouldn't be cheaper to go to town pick-up of garbage.
2. Wayne Harvey asked why there are not trash days in February and September and reported on the major pot holes on Becker and Collins Center Zoar Roads.

Reports

Code Enforcement Officer Siegle contacted the Spring Street resident on the water running and will correct it.

Highway Superintendent reported the bleachers have been put together, they are plowing and patching and will need another transfer station worker.

RESOLUTION # 95: ADVERTISE FOR TRANSFER STATION ATTENDANT

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord to advertise in the

Gowanda News and Springville Journal the weeks of March 10th and 17th for a transfer station attendant, with applications due to Town Clerk by 4:00 PM on March 22, 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Highway Superintendent Jensen has been looking to replace the 2004 Ford F-550 and found a used 2004 Sterling with Mercedes engine, 34,000 miles for \$ 45,000.00.

RESOLUTION # 96: **AUTHORIZE PURCHASE OF TRUCK**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to authorize Highway Superintendent to purchase 2004 Sterling Heavy Duty Dump Truck with Tenco plow from the Town of Henrietta through Tietsworth Auctioneers for \$ 45,000.00 to be taken from budget line DB5130.210 equipment reserve and declare the 2004 Ford F-550 surplus and authorize Highway Superintendent to take it to auction.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 97: **ALLOW COLLINS FIRE COMPANY USE OF LKP PARKING LOT**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to allow the Collins Fire Company use the parking lots at the LK Painter Community Center for their March 17th corned beef dinner.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Parks and Recreation – Councilman Gaylord gave a recap of the last meeting. Mary Peglowski will be the secretary and the program will run until the end of the month.

RESOLUTION # 98: **APPROVE SECRETARY FOR PARKS AND RECREATION ADVISORY COMMITTEE**

Motion made by Councilman Gaylord, seconded by Councilman Martin to approve the nomination of Mary Peglowski to serve as secretary of the Parks and Recreation Advisory Committee

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Planning Board will work on fees. Highway Superintendent will look into "Building Permits Required" signs. Planning and Zoning boards will share the sheriff's office.

Town Clerk reported sales of \$4,244.25 with the towns' portion \$3,689.63.

Water report was read by the supervisor. Matt Wurst will be on vacation but will come in to read the water meters. Wayne Harvey questioned the amount the prison is charged for water; \$1.99/1,000 gallons. If we haven't dealt with them on the water line we should charge them \$2.50/1,000. The Collins Center water tower has algae on the back of the tank.

Board Reports

Councilman Martin attended the water and planning meetings and the Collins Fire Department Installation dinner.

Councilman Stelley reviewed the vouchers and updated the website.

Councilman Gaylord reviewed the vouchers, attended the recreation meeting and the Collins Fire Department Installation dinner.

Councilman Clark attended the Collins Fire Department Installation dinner and met with the supervisor a few times.

Supervisor Tessmer met with Brian Martin chairman of the planning board, attended the water department meeting, the Assoc. of EC Govts meeting and the Collins Fire Department Installation

dinner.

Old Business

1. Request for long-term rental of LKPCC office space was received from Mindy Purdy who wants to rent a room where stuff can be stored and sublet it to the boy and girl scouts, homeschooling group and her birthing class. Concerns were brought up regarding insurance and how do we deal with the subletting. Attorney Musacchio stated everyone loves long-term agreements but if have issues – have problems. If space is sub-let; it is by town board approval. We need to be aware of home schooling rules/regulations that would approve or prohibit this situation. Board said they would not charge the boy and girl scouts and they can use the space now.

2. Board should go through Town Codes for updates – Councilman Martin put together a notebook of additions to the code book since it was adopted, for each board member. The organizational analysis will be gone over at the next meeting.

Mr. Martin brought up a compound near him on West Becker Road where people are living that has been built without permits or inspections. Also they are throwing garbage on the neighbor's property.

3. Resolution in support of AOECG resolution on NYS SAFE Act

RESOLUTION # 99: SUPPORT AOECG RESOLUTION ON NYS SAFE ACT

Motion made by Supervisor Tessmer, seconded by Councilman Clark that the following be

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 1 Gaylord

WHEREAS, the Town Board has reviewed a resolution brought forth by the Association of Erie County Governments requesting the repealing and amending of the NY "Safe Act" gun control law, and

WHEREAS, The Town Board agrees that the Association of Erie County Governments represents the voice of the people in Erie County.

NOW BE IT RESOLVED, the Collins Town Board hereby approves the repealing and amending of the NY "Safe Act" legislation and is in support of said resolution brought forth by the Association of Erie County Governments.

WHEREAS, The Association of Erie County Governments who represents the voice of the people, is made up of 25 Towns, 16 Villages and 3 Cities that represent the County of Erie, in the State of New York with a population of approximately 1,000,000 people, and

WHEREAS, On Monday January 14th, 2013 the rights under the second Amendment of our Constitution was infringed on without due process, and

WHEREAS, The Gun Control Bill (S.2230) known as NY SAFE Act was rushed through the Senate & Assembly without a single Public hearing or input from the various Law enforcement agencies located around our State, and

WHEREAS, Even the State lawmakers did not have time to review the bill as presented leaving questions about implementation and regulation of this new law, and

WHEREAS, This law should focus on increasing penalties for criminals who use firearms to harm and threaten law abiding citizens and address the issues of mental illness related to violence, and

WHEREAS, The Association of Erie County Governments realizes that NY SAFE Act, gun control law must be repealed and replace the restrictive parts of the enacted law.

NOW THEREFORE BE IT RESOLVED, that the Association of Erie County Governments urgently asks Governor Andrew M. Cuomo & the Legislative leaders to suspend this law as soon as possible and to look at all of the aspects of gun control using the proper legal procedure to bring about a law that will address gun control in a more logical manner, focusing on the real issues related to gun control – a law that will strengthen the effect on public safety and not infringe upon our constitutional rights.

RESOLVED, that a certified copy of this resolution be forwarded to:
Honorable Governor Andrew M. Cuomo, Honorable Senate Majority Leader Dean Skelos, Majority Leader of Independent Democratic Caucus Jeff Klein, Honorable Senate Minority Leader Andrea Stewart-Cousins, Honorable Speaker of the Assembly Sheldon Silver, Honorable Leader of the Assembly Joseph Morelle, Honorable Minority Leader of the Assembly Brian Kolb, and the Western New York Delegation and Erie County Legislators

New Business

1. Justice Court request for court officer and additional town prosecutor night – Collins is one of the few town courts that doesn't have a security officer on court nights. Justice Cain will contact the court administration for guidelines and will put together rate of pay and hours. Attorney Musacchio is willing to do more prosecutor nights but not at the same salary.

With no further business, on a motion of Councilman Clark, seconded by Councilman Martin 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 held at the Town Hall, 14093 Mill Street, Collins, NY on the 18th day of March 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilman
 Mary Stelley, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Wayne Harvey; Richard Clark; Dick Agle; Brian Martin planning board chairman; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

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

RESOLUTION # 100: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 101: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the Monday, March 4th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 102: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #6 for 2013 dated March 18, 2013, vouchers # 154 – 192 for \$ 75,785.32.

General – Town Wide	17,476.10	Helmuth Fire Control	10,213.96
General - Part Town	538.40	Special Refuse	292.32
Highway Fund	19,015.38	Water District #1	6,249.14
Collins Fire District	883.18	Water District #3	1,451.23
Rosenburg Fire District	19,362.00	Water District #4	53.66
Special Lighting #1	249.95	Total	\$ 75,785.32

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Old Business

1. Resolution needed to modify truck purchase resolution

RESOLUTION # 103: MODIFY RESOLUTION # 96, MARCH 4, 2013 RE: DUMP TRUCK PURCHASE

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

Whereas, on March 4, 2013, the Town Board authorized the purchase of a 2004 Sterling Heavy Duty Dump Truck with Tenco plow for \$45,000.00, and

Whereas, the resolution adopted incorrectly listed the owner of the truck as the Town of Henrietta, and

Whereas, the current owner of the truck is the Village of Honeoye Falls.

Therefore be it resolved that the Town Board modify Resolution #96 on March 4, 2013, as follows: The Town Board authorizes Highway Superintendent to purchase 2004 Sterling Heavy Duty Dump Truck with Tenco plow from the Village of Honeoye Falls through Tietzworth Auctioneers for \$45,000.00, to be taken from budget line DB5130.210 – equipment reserve, and declare the 2004 Ford F-550 surplus and authorize Highway Superintendent to take it to auction.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

2. Resolution on justice court fines

RESOLUTION # 104: **OPPOSE JUSTICE COURT FINES**

Motion made by Councilman Gaylord, seconded by Councilman Clark that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

WHEREAS, The Governor has proposed, as part of his Executive Budget, a provision that would restrict the ability of local courts to plea bargain traffic tickets, and

WHEREAS, this provision would unduly infringe upon the discretion of our local judges to adjudicate matters on a case by case basis, and

WHEREAS, Without the ability to plea bargain traffic tickets there will be an increase in the number of trials held in the local courts which will have the result of significantly increasing the cost to the municipality to run its court system, and

WHEREAS, this provision will take away an important funding source that municipalities rely on to run their court systems, and

WHEREAS, The Governor has also proposed, as part of his Executive Budget, a provision that would add an eighty dollar (\$80.00) surcharge to all stopping/standing/parking violations, regardless of the circumstances behind the violations, and

WHEREAS, this would have the effect of creating a significant hardship of residents of this state who have been cited for relatively minor infractions, and

NOW THEREFORE BE IT RESOLVED, that the Town of Collins does hereby oppose these provisions of the Governor's Executive Budget, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to:

Honorable Governor Andrew M. Cuomo, Honorable Senate Majority Leader Dean Skelos, Majority Leader of Independent Democratic Caucus Jeff Klein, Honorable Senate Minority Leader Andrea Stewart-Cousins, Honorable Speaker of the Assembly Sheldon Silver, Honorable Leader of the Assembly Joseph Morelle, Honorable Minority Leader of the Assembly Brian Kolb, and the Western New York Delegation and Erie County Legislators.

3. Resolution on justice court funding

RESOLUTION # 105: **JUSTICE COURT FUNDING**

Motion made by Councilman Martin, seconded by Councilman Stelley that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

WHEREAS, town justice courts provide an essential service that is primarily funded by local real property taxes; and

WHEREAS, the State established reimbursement fund (General Municipal Law GML §99-L), designed to assist towns with the operational expenses of justice courts, has not been amended to reflect an increase in operational expenses for more than a decade; and

WHEREAS, since last amended, the New York State Police discontinued the practice of prosecuting and pleas-bargaining traffic violations in town justice courts, placing a burden on local governments to provide prosecutors for traffic violations, thereby further increasing court operational expenses; and

WHEREAS, the 2013-2014 Executive Budget seeks to impose limitations on the plea bargaining process as it pertains to speeding tickets issued to drivers in excess of 20 miles over the posted speed limit.

WHEREAS, state law sets forth the surcharges and fines for many actions adjudicated in town justice courts as well as the distribution of fines and surcharges between the state and the town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Collins calls upon the Governor and the State Legislature to increase GML §99-L reimbursement fees to assist local taxpayers in funding justice court operational expenses; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Collins requests legislative action to establish a new surcharge to maintain the office of town prosecutor thereby reducing the expense to town taxpayers; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Collins calls upon the Governor and the State Legislature to ensure that costs associated with new state laws, regulations and policies affecting the courts are not borne by town taxpayers, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to: Honorable Governor Andrew M. Cuomo, Honorable Senate Majority Leader Dean Skelos, Majority Leader of Independent Democratic Caucus Jeff Klein, Honorable Senate Minority Leader Andrea Stewart-Cousins, Honorable Speaker of the Assembly Sheldon Silver, Honorable Leader of the Assembly Joseph Morelle, Honorable Minority Leader of the Assembly Brian Kolb, and the Western New York Delegation and Erie County Legislators.

4. Discussion on baseball field scheduling – all park scheduling previously had been done through the clerk's office. Last year Jeff Johnson handled it so he could check the field everyday to see if it was alright to play on. If a group uses the field and damages it, they would pay for the damages.

Supervisor Tessmer will talk with Jeff Wilson, Gowanda Little League and Jeff Johnson about scheduling the use of all fields.

5. Discussion on court officer – The court is requesting the hiring of a court officer. We are one of the few towns that do not have a court officer. More information will follow.

New Business

1. 2013 Liberty Fest discussion – a meeting was held March 9th. Councilman Clark handed out minutes from that meeting showing a scaled-back one-day event on Saturday, June 29th. Supervisor Tessmer stated the car show people were unhappy being out in front of the LKP.

Workshop Topic – town code organizational analysis – Councilman Martin went through the organizational analysis. After he checks on a few items he will send it to General Code. Mr. Martin asks all to go over the transfer station section and the users will have to be defined.

With no further business, on a motion of Councilman Martin, seconded by Councilman Clark the meeting was adjourned at 8:37 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 1st day of April 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Clark, Councilman
 Mary Stelley, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Sue Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Doug Martindale; Dick Agle; Jason Tadt; Sue Johnson from Senator Gallivan's office; Wayne Harvey; Mary Brown; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell reporter Observer

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

RESOLUTION # 106: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 107: MINUTES APPROVAL

Motion made by Councilman Clark seconded by Councilman Martin to approve the minutes of the Monday, March 18th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 108: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #7 for 2013 dated April 1, 2013, vouchers # 193 – 225 for \$ 59,700.17.

General – Town Wide	12,798.97	Water District #1	2,639.83
General - Part Town	703.61	Water District #3	1,161.48
Highway Fund	41,356.61	Water District #4	0.70
Special Lighting #1	926.63	Total	\$ 59,700.17
Special Refuse	112.34		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Public Access

Charles Siegle asks that there be two trash days a month; the one on Saturday and one on Wednesday. On Saturday the place was a mess; there was a lot of stuff that was on the ground as the bins were full. If there was another day the volume would be less per day. It takes two maybe three days to pick-up, load and haul the trash out. Having a trash day on the second Wednesday of the month was discussed. (This is a workshop topic next month.)

2. Sean Christopher and Jason Tadt from the Gowanda Little League spoke of the scheduling of all teams using both town parks. A meeting will be held Saturday, April 6th at the Collins Center field.

3. Sue Johnson, our Community Representative from Senator Gallivan's office introduced herself and said anything they can help us with they will.

Reports

Attorney Musacchio spoke with Mr. Manguso the surveyor about south boundary of the Collins park. He will contact him again about a written proposal of different scenarios that could be done.

Code Enforcement submitted their monthly report.

Highway Department will pick up their new truck Wednesday; all fire extinguishers have been serviced; have purchased materials for the storage sheds in the parks; (Superintendent Jensen will give shed keys out to Jason Tadt and Ron Barlow) and the CHPS money has increased.

Parks and Recreation's meeting was March 8th. Councilman Gaylord will speak with Sue Gamel, Budget Officer on their budget and summer recreation will run from July 8 through Aug 16.

Planning Board - reviewed building permit fees and is looking for a secretary and are trying to obtain the previous chairman's notes.

Town Clerk reported March sales of \$5,558.25 with the town's share \$4,191.93. \$1,930,804.48 has been collected for taxes so far.

Water Department meeting was held on March 25th; met with OGS on water project; Highway Superintendent Jensen asks if the State abandons the water on Wheeler Road and someone hits the pipes sticking out of the ground, who is liable? Supervisor Tessmer will draft a letter. An automatic dialer was purchased for the Collins pump house.

Board Reports

Councilman Martin attended building committee meeting; water meeting and Community Advisory meeting.

Councilman Stelley reviewed the vouchers; spoke with Jeff Travers on personnel; interviewed for transfer station attendant position; attended the liberty fest meeting and met with Mindy Purdy.

Councilman Gaylord reviewed the vouchers; attended little league committee meeting; recreation meeting; Community Advisory meeting; library meeting and the Gowanda Area Rezoning meeting.

Councilman Clark attended the liberty fest meeting, Rural Development meeting; met with Mindy Purdy and the highway department; interviewed for the transfer station attendant position and worked on a personnel issue.

Supervisor Tessmer spoke with Erie County on road issues from the last meeting; contacted the Springville Journal to put out meeting minutes in their paper; met with EC Health Depart on the LKPC kitchen permit – passed. Mr. Tessmer spoke with a representative from the Sheriff's Department about a sealed drop-off location for outdated medications and spoke with the NYSDOT about illegal signs in town (we only have one – 'Seneca Owned').

Old Business

1. Resolution to increase town prosecutor salary

RESOLUTION # 109: **APPROVE INCREASE OF TOWN PROSECUTOR SALARY**

Motion made by Councilman Gaylord, seconded by Councilman Martin that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

WHEREAS, The Town of Collins Justice Court has requested the Town Prosecutor be available for one additional monthly session, and

WHEREAS, The Town Prosecutor has agreed to this increase in his duties, to help alleviate the issues caused by the existing schedule, and

WHEREAS, the additional workload will require more time for the Town Prosecutor, and

WHEREAS, a survey of local Town Courts substantiated the need for an additional session and a corresponding increase in salary.

NOW THEREFORE BE IT RESOLVED, that the Town Prosecutor salary be increased from \$3,100.00 per annum to \$5,000.00 per annum, effective April 1, 2013, and prorated for the period April 1, 2013 to December 31, 2013.

BE IT FURTHER RESOLVED, that Budget line A1420.110 – Town Attorney Personal Services be

increased to \$5,000.00, and budget line A1940.400 – Contingency Fund be decreased to \$28,100.00, to cover the cost.

2. Resolution to set hearings on water meter repairs

RESOLUTION # 110: **SET HEARING ON WATER METER REPAIRS**

Motion made by Councilman Martin, seconded by Councilman Clark that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

WHEREAS, all town water meters are to be maintained in good working order so as to produce accurate metering of water usage, and

WHEREAS, the Water Department has notified the town clerk that three water consumers have non-functioning water meters, and these same consumers have not responded to the several attempts made by the water superintendent to have them schedule an appointment for exchanging their water meter, and

WHEREAS, the Water Department may shut off water service to any consumer for refusal to allow a non-functioning water meter to be replaced as per § 45.29 of the town code.

NOW THEREFORE BE IT RESOLVED, that pursuant to § 45.39 of the Town Code, the Town Board hereby schedules a hearing on Monday, April 29, 2013 at 7:00 pm in the town hall courtroom for the purpose of a hearing before the Town Board appointed hearing officer to receive comments concerning termination of water service for non-compliance of water meter replacement for properties at (1) 14072 Palmerton Street, (2) 3418 Route 39 and (3) 3502 Route 39, and that the Town Clerk send notice of such hearing to the owners and tenants of these properties.

RESOLUTION # 111: **APPOINT WATER SHUT-OFF HEARING OFFICER**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to appoint Councilman Martin hearing officer for water shut off hearing on Monday April 29, 2013 and Councilman Gaylord as alternate.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

3. Resolution authorizing 2013 liberty fest

RESOLUTION # 112: **AUTHORIZE 2013 LIBERTY FEST**

Motion made by Councilman Clark, seconded by Councilman Stelley that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins is interested in promoting an atmosphere of cohesion among the residents of the Town, and

WHEREAS, to this end, the Town in 2011 and 2012 sponsored the Liberty Fest, which was well-received among the community, and

WHEREAS, the Town endeavors to once again provide the residents with a similar opportunity to enjoy this recreational event.

NOW BE THEREFORE BE IT RESOLVED, that the Town Board appoint Mary Clark, Deputy Supervisor, and Mary Stelley, Councilwoman, to co-chair a committee to oversee the organization and realization of the third annual Liberty Fest, with the ability to set up committees and make decisions.

BE IT FURTHER RESOLVED, that the Town Board authorizes the expenditure of Town funds, not to exceed \$2,500.00, to achieve this goal for 2013.

4. Discussion on Rural Development loan/grant for LKPCC project – Supervisor Tessmer and Councilman Clark met with Dawn Kuras of Rural Development. After the discussion it was decided that the town does not go after any money from them.

New Business

1. Painting/repair project in LKPCC classroom # 6 discussed that no longer is there an urgent push to get the room finished. Supervisor Tessmer brought up of possibly changing Doug Martindale's title and increase his pay as he has done a lot and saved the town a lot of money.

2. Resolution declaring May 5, 2013 as Draft Animal Day

RESOLUTION # 113: **DECLARE MAY 5, 2013 AS DRAFT ANIMAL DAY**

Motion made by Supervisor Tessmer, seconded by Councilman Martin that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

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 thirty-one years promoted and preserved our agricultural heritage for the benefit of all through its ANNUAL PLOWING FESTIVAL.

NOW THEREFORE BE IT RESOLVED that Sunday, May 5, 2013 be officially designated and proclaimed "DRAFT ANIMAL DAY" in the Town of Collins.

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 the Town Board of the Town of Collins.

3. Resolution supporting April 26, 2013 as Housing Opportunities Made Equal Day

RESOLUTION # 114: **SUPPORT PROCLAMATION THAT APRIL 26, 2013 BE DESIGNATED 'HOUSING OPPORTUNITIES MADE EQUAL' DAY IN BUFFALO, NY**

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

WHEREAS, Housing Opportunities Made Equal (HOME) was founded in 1963 by Clergy and Laity from The Buffalo Area Council of Churches; who were concerned about pervasive discrimination in the Buffalo-Niagara housing market, and

WHEREAS, HOME began as a true Pioneer in the defense for those who did not have a voice, and

WHEREAS, HOME began as an all-volunteer organization, dedicated to work diligently to eliminate the most visible racial barriers in multifamily housing rentals and real estate sales.

WHEREAS, since the mid-1970s, a small professional Staff continued to hold in high esteem the goals and objectives of those who forged diligently before them. Today, nearly four hundred dues paying members throughout Western New York are deep-rooted in their belief and confidence in the Mission Statement of HOME, and

WHEREAS, the need for HOME continues to grow as the only agency in Western New York providing comprehensive services for victims of housing discrimination, including recording, investigation, paralegal counseling, client advocacy to reconcile validated complaints, emotional support for victims and when necessary case preparation for legal action, and

WHEREAS, in an effort to educate the Community with paralegal counseling for landlords and tenants, housing disputes are resolved, and

WHEREAS, following settlement of the historic Comer housing segregation suit, HOME was chosen in a national search as lead agency to operate the Greater Buffalo Community Housing Center, which since 1999 has helped nearly 4,000 families escape concentrated poverty and racial segregation, and

WHEREAS, HOME collaborated with several other community agencies to create informative publications including, 'Choosing Good Tenants: A Practical Guide for Landlord', 'A Guide to Landlords Rights', and 'Together We Open Doors', and

WHEREAS, in 2009 HOME assembled nearly \$2.7 million in public and private financial support to save a vacant but architecturally significant building at the corner of Main and Ferry Streets in

Buffalo, built ten units of barrier-free, energy-efficient affordable housing; known as Oxford Commons. This is now the permanent "Home for HOME"!, and

WHEREAS, HOME has been recognized in all levels of Government; receiving recognitions, acclamations and awards for dedication and determination to protect those unable to defend themselves and achieve their ultimate goal; to safeguard the human right of fairness for ALL ... *taking the Fear out of 'Fair Housing'!*, and

WHEREAS, April is 'Fair Housing Month' throughout our Country; and HOME will enthusiastically Celebrate their 50th Anniversary as they prepare for the future...'BUILDING ON THE LEGACY'!

NOW THEREFORE LET IT BE RESOLVED The Collins Town Board supports the proclamation that Friday, April 26, 2013 be designated 'HOUSING OPPORTUNITIES MADE EQUAL'DAY' in Buffalo, New York.

Monday, April 15, 2013 Workshop Topic – Transfer Station

With no further business, on a motion of Councilman Martin, seconded by Councilman Stelley the meeting was adjourned at 9:33 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 15th day of April 2013.

Present: David Tessmer, Supervisor
Robert Gaylord, Councilman
Mary Clark, Councilman
Mary Stelley, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
Sue Gamel, Budget Officer
James Musacchio, Attorney

Others Present: Dick Agle; Wayne Harvey; Brian Martin and Richard Westland reporter Gowanda Penny Saver News

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

RESOLUTION # 115: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 116: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the Monday, April 1st town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 117: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Clark that the bills be paid on abstract #8 for 2013 dated April 15, 2013, vouchers # 226 – 284 for \$ 87,768.39.

General – Town Wide	8,846.05	Water District #1	5,865.09
General - Part Town	3,630.49	Water District #3	1,731.28
Highway Fund	63,139.41	Water District #4	<u>2,388.52</u>
Special Lighting #1	23.73	Total	\$ 87,768.39
Special Refuse	2,143.82		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Councilman Martin went through the report he handed out of information he obtained from Town of North Collins regarding Helmuth. Supervisor Tessmer asked Attorney Musacchio send a letter to Supervisor Seege of Town of North Collins requesting an independent outside audit of Helmuth Control's finances.

Old Business

1. Resolution to adopt Building Permit fees

RESOLUTION # 118: ADOPT BUILDING PERMIT FEES

Motion made by Councilman Gaylord, seconded by Councilman Clark that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Whereas, the Code Enforcement Office and Planning Board developed an updated fee schedule for building permits, and

Whereas, the fee schedule has been approved by the Code Enforcement Office and Planning Board.

Therefore be it resolved that the Town Board adopt the proposed Building Permit Fees Schedule, effective April 15, 2013.

2. Resolution to increase Doug Martindale salary to complete projects

RESOLUTION # 119: APPROVE INCREASE OF SALARY OF DOUGLAS MARTINDALE

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Whereas, the Town hired Doug Martindale in 2012 as a laborer to work in the Town of Collins' buildings and grounds, and

Whereas, for the past year Doug Martindale has taken on additional responsibilities and successfully completed various improvements at all Town facilities, saving the Town thousands of dollars and eliminating the need to hire outside contractors for these projects, and

Whereas, it is the objective of the Town Board to continue to be fiscally responsible in our effort to make improvements to all the buildings that serve our residents, and

Whereas, the Town has identified future buildings and grounds projects, and Doug is qualified to complete them.

Therefore be it Resolved that the salary of Doug Martindale be increased to \$10,000.00 per year, effective April 15, 2013, and prorated for the remainder of calendar year 2013

3. Resolution to hire transfer station attendants

RESOLUTION # 120: APPOINT TRANSFER STATION EMPLOYEES

Motion made by Councilman Clark, seconded by Councilman Stelley that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Whereas, the Town of Collins, under the Supervision of the Highway Superintendent, maintains a transfer station for the residents of the Town to dispose of garbage, recyclables, and/or trash, and

Whereas, the position of Laborer functions as Transfer Station Attendant, thus providing services necessary to operate this facility, and

Whereas, there is currently a vacancy for this position, and there will also be a shortage of personnel when one of the Attendants will be reassigned to another department for six months, and

Whereas, we wish to fill the current opening and to also provide backup when there is a shortage, and to that end the Personnel Committee has interviewed applicants who are Town of Collins residents for the vacant position and for the alternate/backup position.

Therefore, Be It Resolved that the Town Board approves the recommendations of the Personnel Committee to appoint Donald Johnson as Laborer, Part Time, to the current Transfer Station vacancy, and to appoint Joshua Porter as an alternate/backup Laborer, Part Time to work on an as-needed basis.

New Business

1. Discussion on delinquent water bills for rental properties – The Town Clerk attended a fair housing training session where the representative from the Village of East Aurora brought up delinquent water bills being put to the property owner's tax bill. They are working on a local law that all tenant's water bills would be sent to the property owner and it would be up to the owner on how he deals with the tenant's water bill. We will wait and see how they do this.

2. Discussion on developing a second baseball diamond in Collins Center – Councilman Gaylord and Supervisor Tessmer met with some coaches from the little league at the park and discussed putting in another diamond. A letter should be sent to the local officials for the state property. Councilman Gaylord was told to research this further. There is interest in the little league helping with the cost. The development of the Peter Cooper Site includes ball diamonds but it is a few years away. Councilman Gaylord and Jeff Johnson went to the Collins Park and Jeff suggested putting a T-Ball field by moving the volley ball court back. Spots for benches were marked. The advisory board would like the ad placed for summer employment. Interviews will be held May 9.

RESOLUTION # 121: **APPROVE AD FOR SUMMER RECREATION AND BEAUTIFICATION**

Motion made by Councilman Gaylord, seconded by Councilman Clark to approve putting an ad in the penny saver for weeks of April 20 and 27, with deadline May 3rd at 4:00 pm for summer recreation and beautification.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

3. Discussion on LKPCC project status

4. Resolution to advertise for bidders for LKPCC window replacement project

RESOLUTION # 122: **ADVERTISE NOTICE TO BIDDERS**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to advertise the attached notice to bidders in the Dunkirk Observer, on Sunday, April 28, 2013, and bids to be received and opened at 3:00 PM on May 10, 2013, at the office of the Collins Town Clerk.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WINDOW REPLACEMENT PROJECT L. K. PAINTER COMMUNITY CENTER TOWN OF COLLINS, NY

Sealed bids for the proposed Window Replacement Project, at the L.K. Painter Community Center in the Town of Collins, will be received by the Town Clerk at her office located in Town Hall, 14093 Mill Street, Collins, New York 14034 on or before 3:00 P.M. local time on the 10th day of May, 2013, at which time they will be publicly opened and read aloud. The base project includes furnishing labor, material, and equipment necessary to perform replacement of existing windows and one main entrance door at the L.K. Painter Community Center, 2355 Main Street in Collins, NY 14034.

Plans and Specifications for the Window Replacement Work may be obtained or examined at the office of Wm. Schutt & Associates, PC between the hours of 9:00 A.M. and 4:30 P.M., except Saturdays, Sundays and Holidays.

A deposit of \$50.00 per set is required (two (2) checks of \$25.00 each payable to Wm. Schutt & Associates, PC). Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Each bid proposal shall be submitted in a sealed envelope, clearly marked "BID ENCLOSED -L.K. PAINTER COMMUNITY CENTER WINDOW REPLACEMENT PROJECT".

Each proposal must be accompanied by a certified check, payable to the Town of Collins, for a sum equal to five per centum (5%) of the total amount of the Bid, or a bid bond with sufficient sureties in a penal sum equal to five per centum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he/she will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract. All bid deposits except that of the successful bidder will be returned.

The Town reserves the right to reject any and all bids, to consider the reputation and experience of any bidders in making its selection, to waive any informalities or minor deviations from the specifications, and to award the contract to other than the lowest bidder, if considered to be in the best interest of the Town of Collins. All bids shall be submitted intact on bidding form available for that purpose and addressed to: Becky Jo Summers Collins Town Clerk 14093 Mill Street Collins, New York 14034

5. Discussion on Highway Barn drainage grating repairs – Superintendent Jensen would like to do

half the grate repairs this year and half next year. There is not enough in the budget line to cover the cost so Mr. Jensen would like money transferred to cover the cost. A resolution will be needed for next meeting.

Workshop Topic - Transfer Station – Supervisor Tessmer handed out packets to the board and went over it. He came up with an approximate annual cost that each residence in the district would pay for use of the transfer station. Also included in the pack is a copy of a contract with a neighboring town with Modern Disposal Services, Inc. Councilman Martin suggests having a highway worker at the transfer station a few hours on Saturday to compact the bins, so as not to have as much trash put on the ground to load into the bins during the week.

Attorney Musacchio gave an update on the surveying of the Collins Park and Supervisor Tessmer will contact the park neighbor.

RESOLUTION # 123: **ENTER IN EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board moves into an executive session at 9:00 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion discipline of removal.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 124: **RETURN TO REGULAR SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board returns to regular session at 9:34 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

With no further business, on a motion of Councilman Martin, seconded by Councilman Clark the meeting was adjourned at 9:34 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 6th day of May 2013.

Present: David Tessmer, Supervisor
Robert Gaylord, Councilman
Mary Stelley, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Absent: Mary Clark, Councilman

Others Present: Mike Brown; Eric Strickfaden; Tom Flynn; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 125: AGENDA APPROVAL

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

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

RESOLUTION # 126: MINUTES APPROVAL

Motion made by Supervisor Tessmer seconded by Councilman Stelley to approve the minutes of the Monday, April 15th town board meeting.

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

RESOLUTION # 127: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #9 for 2013 dated May 6, 2013, vouchers # 285 – 338 for \$ 121,584.19.

General – Town Wide	31,871.01	Water District #1	24,392.28
General - Part Town	840.25	Water District #3	13,902.64
Highway Fund	6,999.86	Library Fund	42,375.00
Special Lighting #1	994.49	Water District #4	.89
Special Refuse	207.77	Total	\$ 121,584.19

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

Public Access

Tom Flynn, President of the Collins Fire Company addressed the board to dispel the rumors that have gotten back to them.

Reports

Highway department is cleaning ditches, took the plows off the trucks, put the storage sheds up in the park and worked on storage areas at the LKP. Trash day had four bins filled and the electronics filled five bins. Shelves have been built for the water department and chlorine tanks will be installed next week.

Town Clerk reported April sales of \$5,170.50 with the town's portion \$4,905.89.

Water department report was gone over by Councilman Martin

Attorney Musacchio arrived and reported there is an assessment case with the owners of the Ames property. The garage at 2335 Maple Avenue is to come down within 30 days.

Board Reports

Councilman Martin attended the building committee meeting and the Helmuth Advisory meeting. Councilman Stelley reviewed the vouchers, updated the website, attended the liberty fest meeting, set up town board emails on the website and reported 34 applications were received for

summer beautification and recreation.

Councilman Gaylord attended the building committee meeting, wrote a letter to the prison regarding another ball diamond at the Collins Center location and reviewed the vouchers.

Supervisor Tessmer met with the Collins Fire company executive board regarding rumors, met with Heather McKeever, Mayor of the Village of Gowanda on water issues, reported the town has lost the second worker in the water department, met with the Erie County Health Department on back-up water worker, met with park neighbor regarding the survey of our property, attended the water meeting, webinar on public purchasing, April 26th bid opening, received \$13,750.00 for truck and tires sold and discussed the two sets of bleachers to be declared scrap.

The new layout and pricing of the building permits was gone over.

Old Business

1. Resolution to purchase Highway Barn floor grating

RESOLUTION # 128: **APPROVE PURCHASE OF HIGHWAY DEPARTMENT FLOOR GRATING**

Motion made by Supervisor Tessmer, seconded by Councilman Stelley that the following resolution be:

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

WHEREAS, the Highway Department of the Town of Collins maintains a building housing the garage and workshop for the storage and repair of vehicles and equipment for the maintenance of Town roads and property, and

WHEREAS, this building has a floor drain to collect the run-off from these vehicles which is in a deteriorated condition, and

WHEREAS, the Highway Superintendent has determined that this has become a safety hazard for both vehicles and employees, and

WHEREAS, the stainless steel edging for this drain has been purchased, but there is insufficient funding in the appropriate 2013 budget line to cover the cost of the grating, and

WHEREAS, it was determined that replacing the worst half of the grating would mitigate the danger for the time being, and

WHEREAS, the Highway Superintendent has requested and obtained written quotes for replacement of one-half of this grating this year.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Highway Superintendent to purchase the required steel grating from Klein Steel Service at a cost of \$4,048.01.

2. Resolution to transfer funds to cover the cost of the Highway Department floor grating

RESOLUTION # 129: **APPROVE TRANSFER FUNDS TO COVER COST OF HIGHWAY DEPARTMENT FLOOR GRATING**

Motion made by Councilman Gaylord, seconded by Councilman Stelley that the following resolution be:

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

WHEREAS, the Collins Town Board has authorized the Highway Superintendent to purchase stainless steel floor grating for the Highway Barn from Klein Steel Services at a cost of \$4,048.01, and

WHEREAS, the 2013 Highway Repair line lacks sufficient funds to purchase the grating.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board direct the Budget Officer to transfer \$4,048.01 from A1940.400 Contingency Line of the 2013 budget to A5132.200 Highway Repair Line to cover the cost of the stainless steel grating.

3. Resolution to modify LKPCC Window Replacement bid due date

RESOLUTION # 130: **MODIFY RESOLUTION TO ACCEPT REVISED LKPCC WINDOW BID DUE DATE**

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord that the following be:

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

WHEREAS, on April 15, 2013, the Town Board adopted a resolution to advertise the L.K. Painter Center Window Replacement project bid opening date as May 10, 2013, and

WHEREAS, we have been notified by the Erie County Department of Environment and Planning, that new prevailing wage rates would be effective May 1, 2013, and

WHEREAS, we were further notified that bid notices must also be sent to agencies that assist MBE/WBE firms, and

WHEREAS, to satisfy the requirements of CDBG funding oversight, we should allow more time for bidders to comply with these regulations, and

WHEREAS, the required bid notices have been published and distributed accordingly.

NOW, THEREFORE BE IT RESOLVED that a revised date for bids to be received and opened, be set at 2:00 PM on May 20, 2013, at the office of the Collins Town Clerk.

4. Resolution to award LK Painter Center Masonry Rehabilitation bid – pulled

5. Resolution to reject all bids for LK Painter Center Emergency Generator & Lighting

RESOLUTION # 131: **REJECT ALL BIDS FOR LKPC EMERGENCY GENERATOR & EXTERIOR LIGHTING**

Motion made by Supervisor Tessmer, seconded by Councilman Martin that the following be:

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

WHEREAS, the Town solicited bids for the emergency generator and exterior lighting work at the LK Painter Center, through Wm. Schutt Associates, who prepared the bid package and design specifications, and

WHEREAS, Sealed bid were received by and opened on April 26, 2013, at 3:00 PM, and

WHEREAS, five qualified contractors submitted bids for the project, and

WHEREAS, all the bids received, exceed the Town procurement policy limit for public works projects without formal advertisement and sealed bids.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins reject all bids received for the LK Painter Center Emergency Generator & exterior lighting, and

BE IT FURTHER RESOLVED, that the Town notify Wm. Schutt Associates of this rejection and instruct them to prepare and submit a new Notice to Bidders for advertisement in the Dunkirk Observer on May 12, 2013, with a bid opening of May 30, 2013, at 12:00 PM in the Town Clerk's office.

6. Discussion on Water Department Back-up operator/laborer

7. Resolution to advertise for part-time laborer

RESOLUTION # 132: **ADVERTISE FOR PART-TIME LABORER**

Motion made by Supervisor Tessmer, seconded by Councilman Martin that the following be:

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

WHEREAS, the Town of Collins is currently in violation of Erie County Health Department regulations requiring the necessity of an available licensed back-up operator, and

WHEREAS, the Town is currently investigating all alternatives to meet this requirement, and

WHEREAS, the Erie County Health Department has pledged to assist us in satisfying this objective, and

WHEREAS, the Town must protect itself and ensure uninterrupted water service to its residents, and

WHEREAS, it is in the best interest of the Town to be proactive and advertise for available candidates who possess the proper license or are willing to obtain it.

NOW, THEREFORE BE IT RESOLVED that the Town place the following ad in the Gowanda News and Springville Journal, on May 11, 2013, and accept applications until May 24, 2013, at 5:00 PM, to determine the availability of qualified applicants as we establish a plan to meet ECHD requirements:

TOWN OF COLLINS
PART – TIME LABORER
MUST BE AVAILABLE WEEKDAYS AND SOME WEEKENDS
INVOLVES WORK IN WATER DEPARTMENT
AND OTHER TOWN DEPARTMENTS

**WATER OPERATOR LICENSE PREFERRED BUT NOT
REQUIRED**

APPLICATIONS AVAILABLE AT THE TOWN CLERKS OFFICE
AND MUST BE RECEIVED BY MAY 24, 2013, AT 5:00 PM

PREFERENCE GIVEN TO TOWN OF COLLINS RESIDENTS

7. Resolution setting date of 3rd Annual Liberty Fest

RESOLUTION # 133: **SET DATE OF 3RD ANNUAL LIBERTY FEST**

Motion made by Councilman Stelley, seconded by Councilman Gaylord to designate Saturday, June 29, 2013, starting at 5:00 PM as the date for the 3rd Annual Liberty Fest Town of Collins.

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

New Business

1. Resolution to declare inoperable heating unit as surplus

RESOLUTION # 134: **DECLARE INOPERABLE LKPCC HEATING UNIT AS SURPLUS**

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord that the following be:

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

WHEREAS, an inoperable gas heating unit and two wood/steel bleachers are to be declared surplus.

THEREFORE BE IT RESOLVED, that an ad be placed in Gowanda News and Springville Journal for the May 12th issues for sealed bids marker heater and bleacher to be submitted to the town clerk by 4:00 PM on Friday, May 17, 2013. Items may be viewed by contacting the highway superintendent, Monday – Thursday from 5:30 AM to 4:00 PM.

2. Resolution declaring May 5 – 11, 2013 as Municipal Clerks Week

RESOLUTION # 135: **DECLARE MAY 5-11, 2013 AS MUNICIPAL CLERKS WEEK**

Motion made by Councilman Martin, seconded by Councilman Stelley that the following be:

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

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

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

WHEREAS, the office of Municipal Clerk provides a 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, and

WHEREAS the Municipal Clerk serves as the information center on the functions of local government and the community, and

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

WHEREAS, it is appropriate that we recognize the accomplishments of the office of

Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board recognize the week of May 5-11, 2013, as Municipal Clerks Week, and further extend appreciation to our Clerk, Becky Jo Summers, and to all Municipal Clerks for the vital services they perform and their dedication to the communities they represent.

3. Resolution to approve Court Clerk appointment

RESOLUTION # 136: **APPOINT COURT CLERK**

Motion made by Councilman Stelley, seconded by Councilman Martin that the following be:

ADOPTED Aye 3 Martin, Stelley, Gaylord

Nay 0

Abstained 1 Tessmer

WHEREAS, the Collins Town Court recently advertised to fill an open Court Clerk position, and

WHEREAS, the Hon. Norman J. Peters conducted interviews and hired a new Court Clerk, effective April 25, 2013.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board appoints Peggy Tessmer as Court Clerk, at an annual salary of \$8,250.00, effective April 25, 2013, and prorated for the period from April 25, 2013, to December 31, 2013.

4. Resolution to set Public Hearing on Local Law No. 1 of 2013, to establish meeting dates for the Board of Assessment Review – Monday May 20, 2013 at 7:30 PM.

RESOLUTION # 137: **SET PUBLIC HEARING FOR BAR MEETINGS (GRIEVANCE DAY)**

Motion made by Supervisor Tessmer, seconded by Councilman Stelley to set a public hearing on Monday, May 20th at 7:30 pm, on Local Law No. 1 of 2013 - "Establishment of Meeting Dates for the Town of Collins Board of Assessment Review," and authorize publication of Hearing Notice as follows:

PLEASE TAKE NOTICE that pursuant to Section 20 of the Municipal Home Rule Law, a public hearing will be held before the Town Board of the Town of Collins, New York, at the Town Hall, 14093 Mill Street, Collins, New York, on **Monday, May 20, at 7:30 p.m.** to consider the following:

Town of Collins Proposed Local Law No. 1 - 2013, which will allow for the establishment of meeting dates for the Town of Collins Board of Assessment Review, as follows:

The Board of Assessment Review for the Town of Collins shall meet on the first Wednesday after the fourth Tuesday, in May of each year and thereafter as may be necessary to discharge its duties.

If adopted by the Town Board, this Local Law shall become effective immediately after being filed with the Secretary of State. Copies of the Proposed Local Law are available in the Collins Town Clerk's Office. All interested parties may attend and be heard.

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

New Topics – Discussion and Comments

With no further business, on a motion of Councilman Martin, seconded by Councilman Stelley the meeting was adjourned at 9:03 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 6th day of May 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Laura Landers of Freed Maxick CPA's; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

Supervisor Tessmer called the meeting to order at 7:01 PM with the pledge to the Flag.

RESOLUTION # 138: AGENDA APPROVAL

Motion made by Councilman Stelley seconded by Councilman Gaylord to approve the agenda as modified.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 139: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the Monday, May 6th town board meeting.

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer
 Nay 0
 Abstained 1 Clark

RESOLUTION # 140: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #10 for 2013 dated May 20, 2013, vouchers # 339 - 362 for \$ 16,430.77.

General – Town Wide	11,892.92	Water District #1	1,242.35
General - Part Town	466.90	Water District #3	186.94
Special Lighting #1	23.71	Total	\$ 16,430.77
Special Refuse	2,617.95		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Presentation – Laura Landers of Freed Maxick CPA's – 2012 Annual Financial Report Update - Ms. Landers went through the letter and financial report explaining the changes from last year's report to this year. The town is in good shape; all lines ended on a positive note and we have good reserves. The judges and clerk reports will be forthcoming.

Public Hearing 7:00 PM – Local Law # 1 of 2013 – BAR meeting date

RESOLUTION # 141: MOVE TO SCHEDULED PUBLIC HEARING

Motion made by Councilman Clark seconded by Councilman Stelley to interrupt this meeting to conduct a Public Hearing on proposed Local Law No. 1 of 2013 advertised and scheduled for this evening at 7:30 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

The notice of public hearing was read by Town Clerk Summers and Supervisor Tessmer explained the grievance day has to be held on the fourth Wednesday after the fourth Tuesday in May. The previous resolution had it set before the fourth Tuesday.

RESOLUTION # 142: **CLOSE PUBLIC HEARING**

Motion made by Councilman Clark seconded by Councilman Martin to close the public hearing at 7:36 pm.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 143: **ADOPT LOCAL LAW NO. 1 OF 2013**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Be it Resolved that the Town Board adopt A Local Law known as Local Law No. 1 of the Year 2013 entitled "Establishment of Meeting Dates for the Town of Collins Board of Assessment Review," as follows:

SECTION 1. PURPOSE

The State of New York has granted the governing body of an assessing unit that employs an assessor who is at the same time employed by another assessing unit, the power and authority to establish a date for the meetings of the Board of Assessment review other than that provided by state law.

SECTION 2. DATE ESTABLISHED

The Board of Assessment Review for the Town of Collins shall meet on the first Wednesday after the fourth Tuesday in May of each year and thereafter as may be necessary to discharge its duties.

SECTION 3. EFFECTIVE DATE

This Local Law shall become effective on the date it shall be filed in the office of the Secretary of State.

Old Business

1. Resolution to hire beautification workers

RESOLUTION # 144: **HIRE BEAUTIFICATION WORKERS**

Motion made by Councilman Clark, seconded by Councilman Gaylord that the following resolution be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Whereas, the Town of Collins sponsors a Summer Beautification program, and

Whereas, the Town wishes to fill the positions for the 2013 program, and

Whereas, the Town advertised for the position of Beautification Worker, and the Recreation Committee interviewed applicants responding to the ad.

Now, Therefore be it Resolved, that the Town Board of the Town of Collins approve the recommendations of the Recreation Committee, and hire the following Beautification program applicants:

William Robertson and Nicholas Esposito returning, at \$9.30/hr.; Ian Giles, at \$8.75/hr., and Rhiannon Starks, at \$8.75/hr (as an alternate).

2. Discussion on proposed Recreation fees - Councilman Gaylord state Scott Williams, Chairman of Recreation Committee contacted a few towns to get information on their fee structure. Supervisor Tessmer asked what out-of-towners are charged. No one was sure. Receipts should be written for all payment of program fees and any trips. Seniors should also do receipts for their trips.

3. Resolution supporting West Valley Demonstration Project Funding

RESOLUTION # 145: **WEST VALLEY DEMONSTRATION PROJECT CONTINUATION FUNDING SUPPORT**

Motion made by Councilman Gaylord, seconded by Supervisor Tessmer that the following be:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Cattaraugus Creek defines the southern geographic boundary of the Town of Collins and constitutes a major portion of our area watershed and public water supplies and courses into Lake Erie, and

WHEREAS, as such, the Cattaraugus Creek plays a critical role in the public health of Collins and area residents, and

WHEREAS, the Cattaraugus Creek plays a vital economic, recreational and social role in our area, and

WHEREAS, the West Valley Demonstration Project (WVDP) abuts the Cattaraugus Creek and the Project's successful completion will directly impact the health, safety and economic well being of Town and area residents,

WHEREAS, both the President's 2013 Budget and the House Appropriation Committee's Energy and Water Appropriations Bill provide only \$50 million for the WVDP, and

WHEREAS, the \$50 million budgeted amount represents a reduction of one-third in funding, and

WHEREAS, a \$50 million appropriation will significantly impact the Phase I decommissioning activities and at that funding rate will add approximately another 20 years to complete the Project and add an extra \$200 million to the total Project cost, and

WHEREAS, the federal government must provide adequate funding to continue the cleanup project on schedule and as expeditiously as possible,

NOW, THEREFORE BE IT RESOLVED that the Town of Collins hereby requests the federal government restore funding to the current \$75 million that was anticipated when the Final Environmental Impact Statement and Record of Decision were rendered in 2010.

BE IT FURTHER RESOLVED, that this level of funding must then be stabilized for 10 years to complete Phase I decommissioning work as was originally intended for public health and safety.

BE IT FURTHER RESOLVED, that the Town Supervisor is directed to forward copies of this RESOLUTION to US Secretary of Energy Chu, Senators Schumer and Gillibrand, Congressmen Reed, Collins and Higgins, Governor Cuomo, State Senators Gallivan and Young, State Assemblymen DiPietro and Giglio, Bryan Bower, USDOE Director of WVDP, and Paul Bembia, NYSERDA Director of the West Valley Site Management Program.

4. Resolution to authorize sale of surplus equipment

RESOLUTION # 146: **AUTHORIZE SALE OF SURPLUS EQUIPMNET**

Motion made by Supervisor Tessmer, seconded by Councilman Clark that the following be:

ADOPTED Aye 4 Stelley, Gaylord, Clark, Tessmer

Nay 1 Martin

Whereas, the Town Board declared one inoperable gas heater and two sets of wooden/steel bleachers as surplus, and

Whereas, the surplus equipment was advertised for sale to the highest bidder, with sealed bids due May 17, 2013, at 4:00 PM, and

Whereas, one sealed bid was received for each item prior to the deadline and opened and read aloud.

Now Therefore Be It Resolved, that the inoperable gas heater be sold to Peter Waterman for \$20.00 and the two sets of bleachers be sold to Mark Mangano for \$40.00 each.

Be It Further Resolved that these items be sold "as is" and removed by May 31, 2013, at the bidders' expense.

New Business

1. Update on LKPC window bids – three bids were received ranging from \$129,050.00 to \$216,800.00. Paul Bowers, engineer from Wm. Schutt's was here and took the bids back to the officer to go over them.

2. Update on LKPC Generator / Lighting Project – the engineering firm has found a generator and switch on State bid and will research using that unit.

3. Resolution to sign CDBG sub- recipient agreement with Erie County was withdrawn and

Supervisor Tessmer spoke with Dan Neverath and was told this agreement does not have to be signed.

New Topics – Discussion and Comments

Miscellaneous housekeeping items / updates

1. Trees in the park – spoke with Jason and the two dead trees will be replaced with healthier trees.

2. The supervisor and highway superintendent walked the park and looked at the fence between the pavilion and basketball area. It would cost \$1,300.00 to replace the fence. It will be taken down and two more bids will be obtained to replace the fence.

3. The drinking fountain in the old park is in bad shape. We should get three bids to replace it.

4. The neighbor to the south of the park will let the supervisor make copies of his survey.

5. Supervisor Tessmer spoke with Mary Pankow of the Gowanda Penny Saver News and the meeting minutes will be put in the Springville Journal.

6. We have received four applications for the water laborer position and the county health department will not push us to have the person certified.

7. Supervisor Tessmer went to a meeting for the department of corrections water project and no one else showed up.

8. It was brought up a few years ago to have ID badges for employees. Supervisor Tessmer researched and found a few systems to produce them. The board agreed this should be done. He will get more information for the next meeting.

9. Councilman Stelley, Supervisor Tessmer and representatives from the Town of Persia and Village of Gowanda will meet tomorrow night regarding the village's wanting to eliminate their dog control officer and assessor.

10. A few items in the Rules of Procedure were discussed: resolutions are to be written and submitted before the meeting; vouchers have a Wednesday before the meeting deadline and all are to be more aware of their budgets and if they go over the budget money has to be transferred to that line before payment can be made.

11. Town of North Collins will not be lead agency after the draft the December 2013. The Seneca Nation has expressed interested in being lead agency. We are paying approximately \$ 40,000.00 for Helmuth Dispatch. We will talk with the fire commission and see how to proceed to approach Springville or Evans for dispatch services.

With no further business, on a motion of Councilman Martin, seconded by Councilman Clark the meeting was adjourned at 9:08 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 3rd day of June 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Doug Martindale; Linda Munro; Dick Clark; Dick Agle; Lois Johnson; Candee Termer; Margaret Degenfelder; Bob Stelley; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 147: AGENDA APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the agenda with two modifications of adding a resolution to repair the fence at the Collins Park and strike the resolution accepting the justices audit.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 148: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the Monday, May 20th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 149: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #11 for 2013 dated June 3, 2013, vouchers # 363 - 394 for \$ 22,019.87.

General – Town Wide	3,821.63	Water District #1	58.89
General - Part Town	3,350.10	Water District #3	8.04
Highway	12,601.30	Water District #4	.70
Special Refuse	2,179.21	Total	\$ 22,019.87

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Public Access

Doug Martindale reported there is a group working to get tax exempt status to form The Collins Regional Historical Society. A pamphlet was handed out. In eight years the town will be celebrating its bicentennial.

Linda Munro stated the old fire hall property in Collins Center is overgrown and unsafe with part of the foundation still there.

Reports

Code Enforcement Officer submitted the monthly report.

Highway Department has been helping at the LKP working the gym heaters, will start skid paving and chip sealing of both fire halls with them paying for the supplies and use of the equipment. Mr. Jensen would like to purchase a van with shelving to put tools in that can be taken out on jobs that will replace a ten-year old pickup. A resolution will be prepared for the next meeting. The sheds have been finished in the parks. Five bins were filled at trash day and five and one half were filled of electronics. Supervisor Tessmer has received two calls about purchasing our scrap and non-recyclables.

Parks Department – Councilman Gaylord reported the drinking fountain has been fixed.

Town Clerk reported \$5,609.16 in sales last month with the town receiving \$ 5,365.52 and \$2,315,430.82 has been collected in taxes this year with \$224,259.37 unpaid as of May 31, 2013.

Water Department met last week, lines have been flushed and work has been done on Taylor Hollow Road pump house electric.

Board Reports

Councilman Martin attended the Memorial Day Parade, the water meeting and the Southern Tier West Local Government Conference at Houghton.

Councilman Stelley attended the Village of Gowanda meeting regarding the assessor and animal control positions, attended the Village of Gowanda Trustee meeting where they decided to hire an animal control officer; attended the Memorial Day Parade; updated the website including the summer recreation registration form, handed out schedule and application forms for the Liberty Fest and will do eight recreation interviews and reviewed the vouchers.

Councilman Gaylord attended the NEST meeting and reviewed the vouchers.

Councilman Clark worked on the Liberty Fest.

Supervisor Tessmer attended the Memorial Day Parade and will go over his report items under the old and new business sections.

Old Business

1. Resolution needed to accept the 2012 auditor's report

RESOLUTION # 150: **ACCEPT AUDITORS 2012 REPORT**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town has retained Freed Maxick CPA's to complete annual financial audits, and

WHEREAS, Freed Maxick submitted their Financial Audit for 2012, and presented their findings on May 20, 2013.

NOW THEREFORE, BE IT RESOLVED that the Collins Town Board acknowledges that the financial records of the Town have been audited and that the Town Board accepts the audit report for the year ending December 31, 2012, prepared by Freed Maxick CPA's P. C.

2. Resolution to award LKPCC Masonry Rehabilitation Project

RESOLUTION # 151: **AWARD BID FOR LKPCC MASONRY REHABILITATION**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the resolution is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town solicited bids for the masonry rehabilitation work at the LK Painter Center, through Wm. Schutt Associates, who prepared the design specifications and bid package, and

WHEREAS, Sealed bid were received by, and opened on, April 26, 2013, at 3:00 PM, and

WHEREAS, two qualified contractors submitted bids for the project, and

WHEREAS, the lowest responsible bidder meets the terms and conditions of the project requirements.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the LK Painter Center masonry rehabilitation project to Highland Masonry Restoration, Inc. of Buffalo, New York, for the lump sum fee of \$19,750.00, and

BE IT FURTHER RESOLVED, that the Town notify Wm. Schutt Associates of this award and instruct

them to initiate the Execution of Agreement with Highland Masonry Restoration, Inc., and ensure all the terms therein are satisfied.

3. Resolution needed to adopt 2013 Recreation Program fees

RESOLUTION # 152: **TO ADOPT 2013 SUMMER RECREATION PROGRAM FEES**

On a motion of Councilman Gaylord seconded by Councilman Clark, the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS the Town of Collins sponsors a Summer Recreation Program ("Program") each year for Town youth, and

WHEREAS the Town Parks and Recreation Advisory Committee and the Youth Recreation Director have reviewed the Program and its budgetary requirements for continuing a full and comprehensive program as in the past.

NOW, THEREFORE BE IT RESOLVED that upon the recommendation of the Town Parks and Recreation Advisory Committee that the following Program participation fees be adopted for the 2013 Summer Program:

\$30 for the first family member

\$25 for the second immediate family member

\$20 for each additional immediate family member, with a \$100 per family cap.

AND BE IT FURTHER RESOLVED that Non-Town of Collins residents who wish to attend the Program are deemed guests and will be charged \$5/day and will be subject to a limit of 10 days of participation for the 2013 Summer Recreation Program session.

4. Resolution needed to solicit quotations for Collins Park shelter

RESOLUTION # 153: **TO ADVERTISE FOR QUOTATIONS FOR THE CONSTRUCTION OF COLLINS TOWN PARK SHELTER**

Motion made by Supervisor Tessmer, seconded by Councilman Clark that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, The Town has identified the construction of a new shelter in the Collins Town Park as part of our 2013 improvements plan, and

WHEREAS, previous design plans exceeded the requirements for an open-air multi-use shelter, and

WHEREAS, new specifications have been prepared to meet our needs and minimize the cost.

NOW, THEREFORE BE IT RESOLVED, that the Town advertise for quotations to construct a 30' x 40' x10' open-air shelter, with an option for a steel ceiling, according to the attached specifications in the Dunkirk Observer, Gowanda News and Springville Journal the weeks of June 9, and June 16, 2013, with bids due at the Town Clerk's office by 12:00 PM on June 28, 2013, in sealed envelopes marked "Shelter Bid."

5. Resolution needed to purchase employee identification badge printer and accessories

RESOLUTION # 154: **TO PURCHASE EMPLOYEE IDENTIFICATION BADGE PRINTER PACKAGE**

Motion made by Supervisor Tessmer, seconded by Councilman Clark that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, In an effort to increase safety and security, the Town Board wishes to institute a policy on Employee Identification credentials, and

WHEREAS, To provide the appropriate identification badges to employees at a low cost and quick-turnaround, it is most efficient to produce them in-house.

NOW, THEREFORE BE IT RESOLVED, that the Town purchase one Evolis/Badgy Plastic Card Printer with software, USB cable, an extra printer cartridge, and 100 blank PVC cards from Amazon.com for the package price of \$832.65.

6. Update on LKPCC Rehabilitation Project / CDBG Funds

The cost of the project was more than thought; the bids came in more that figured. Supervisor Tessmer will check with Erie County that if the project is scaled back will we lose any money.

7. Resolution to repair fence at Collins Park

RESOLUTION # 155: **HIRE NATHAN GERNATT TO REPAIR/REPLACE FENCING IN COLLINS TOWN PARK**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Whereas, recent and ongoing work at the Collins Town Park identified deficiencies and safety issues with the fencing between the basketball court and shelter, and in front of the dugouts, and

Whereas, the Town wishes to correct those deficiencies, and maintain safety, thereby preventing any potential injury to those who use the park.

Therefore Be it Resolved that the Town Board accept the quotation from Nathan Gernatt, in the amount of \$2,350.00 to repair/replace the fence at these locations.

New Business

1. Resolution needed to accept January 2013 Supervisors report

RESOLUTION # 156: **ACCEPT JANUARY 2013 SUPERVISORS REPORT**

Motion made by Councilman Martin seconded by Councilman Gaylord to accept the Town of Collins Supervisor's Report as submitted, for the month of January 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

With no further business, on a motion of Councilman Martin, seconded by Councilman Clark the meeting was adjourned at 9:15 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 17th day of June 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Tom and Jeanette Flynn; Michael Hutchinson; Richard Westland reporter
 Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 157: AGENDA APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the agenda with addition of transfer station analysis review to the agenda.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 158: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the Monday, June 3rd town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 159: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #12 for 2013 dated June 17, 2013, vouchers # 395 - 446 for \$ 41,780.99.

General – Town Wide	14,647.91	Water District #1	4,665.45
General - Part Town	2,278.47	Water District #3	964.19
Highway	15,554.90	Water District #4	54.19
Special Lighting	979.57	LKP	768.50
Special Refuse	1,867.81	Total	\$ 41,780.99

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Presentation — Gowanda Area Redevelopment Corp (GARC) - Mike Hutchinson and Rob Gaylord covered the history of obtaining the Eastern Tanners Glue Factory which was later know as the Peter Cooper Glue Factory; the environmental issues as the site became polluted as a result of the by-product of animal glue; the funding of the project; the reuse plan and future plans.

Old Business

1. Resolution to purchase 2013 Ford Van for Highway Department from State Bid

RESOLUTION # 160: APPROVE PURCHASE OF 2013 FORD VAN FOR HIGHWAY DEPARTMENT

Motion made by Councilman Clark seconded by Councilman Gaylord that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Whereas, the Highway Department of the Town of Collins possesses a 2003 pickup truck which has over 100,000 miles on the odometer and is in need of numerous costly repairs if it is to be retained for use, and

Whereas, the Highway Superintendent has determined that investing in excess of \$5,000 to repair this vehicle is not a fiscally responsible decision, and

Whereas, the Highway Superintendent has also determined that a cargo van, because of

its design, is a better way to transport workers and equipment and supplies, and

Whereas, such a cargo van is available on NYS contract from Gowanda Ford, with the ability to trade-in the 2003 Ford F150 pickup truck.

Now Therefore, Be it Resolved, that the Highway Superintendent be authorized to purchase a 2013 Ford E250 Econoline Cargo Van, at NYS contract price of \$24,090.70, and to trade in the 2003 Ford F150 for \$2,000, leaving a net cost to the Town of \$22,090.70.

2. Resolution to provide personnel and equipment during Fire Hall parking lot resurfacing
RESOLUTION # 161: **AUTHORIZE USE OF HIGHWAY DEPARTMENT PERSONNEL ON FIRE DEPARTMENT LOTS**

Motion made by Councilman Clark seconded by Councilman Stelley that the resolution is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

Whereas the Town of Collins Highway Department will be oiling and stoning Town Roads, and

Whereas, Town tax dollars support the Collins and Collins Center Volunteer Fire Companies, and

Whereas, the Fire Companies have determined their parking lots are in need of resurfacing, and will pay all costs for equipment and supplies through the same vendor used by the Town Highway Department, and

Whereas, the Fire Companies have requested the Town provide manpower for 1.5 – 2.0 hours per lot to assist them with this resurfacing.

Therefore Be it Resolved, that the Town Board approve the use of Highway Department personnel to assist with the oiling and stoning of the Collins and Collins Center Fire Company parking lots.

3. Resolution to appoint BAR clerk

RESOLUTION # 162: **APPOINT BAR CLERK FOR 2013 GRIEVANCE DAY**

On a motion of Supervisor Tessmer seconded by Councilman Clark the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

Whereas, the NYS Office of Real Property Tax requires us to have a clerk present to record the proceedings during the annual Board of Assessment Review meeting , and

Whereas, Jennifer Renaldo served in this position for the 2012 and 2013 Grievance Days and performed the duties in a competent and professional manner.

Therefore, Be it Resolved that the Town hires Jennifer Renaldo of 69 Lake Street, Angola New York 14006, 549-2828, to serve as BAR Clerk for the 2013 meeting, for a flat rate fee of \$50.00.

4. Update on LKPCC projects – Supervisor Tessmer handed out a LKPCC 2013 Rehabilitation Project Summary and went through it. Mr. Tessmer spoke with Jason Knight and was told we can eliminate any portion of the project and still receive the grant money but out portion has to be 25% of the total amount. Supervisor Tessmer will contact the engineer to get a scaled back proposal on inspection services.

5. Discussion on Helmuth Dispatch Call Recording System – Councilman Martin went through his summary sheet comparing purchase vs. leasing. The Town of North Collins at the end of the year will no longer be the lead agency for Helmuth Dispatch. The Nation has expressed interest of taking it over.

6. Transfer station - Councilman Gaylord went over his analysis of the transfer station and it is better for the town to run the station in regards to costs to the residents. The purchase of a new truck and bins are 50% reimbursable but can take up to three – four years to receive the money. It is recommended to put in a request for money now.

New Business

1. Updating Transfer Station Flyer – up to 16" tires are accepted and a number of requests have been received to increase the size of tires we accept. More discussion at the next meeting.

2. Resolution to accept Supervisor's Reports for February, March, and April 2013

RESOLUTION # 163: **ACCEPT FEBRUARY, MARCH AND APRIL 2013 SUPERVISORS REPORTS**

Motion made by Councilman Clark and seconded by Councilman Martin to accept the Town of Collins Supervisor's Report as submitted, for the months of February, March, and April 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

3. Resolution to appoint Summer Recreation Counselors

RESOLUTION # 164: **HIRE SUMMER RECREATION COUNSELORS**

On a motion of Councilman Clark seconded by Councilman Gaylord, the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

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

Whereas, the Town wishes to fill the positions necessary for this program, and

Whereas, the Town advertised for the positions of Head Counselor, Counselor, and Craft Coordinator, and the Recreation Committee interviewed applicants responding to the ad.

Therefore Be It Resolved, that the Town Board of the Town of Collins hire the following applicants as recommended by the Recreation Committee:

Head Counselor, Collins: Samantha D'Amato at \$9.80/hr

Head Counselor, Collins Center: Hayley Ploetz at \$9.80/hr

Craft Coordinator: Rebecca Russell, \$9.80/hr

Counselors (returning, at \$9.30/hr): Christian Peglowski, Christian Francis, Thomas McMullen, Kendrick Wilson, Robert Russell; third alternate: Rebecca McMullen.

Counselors (new, at \$8.75/hr): Kylie Troidl, Hannah Brawdy, Jared Keppel, Kearsten Pipkins; first alternate: Rachael Smith, second alternate: Andrew Menoff.

4. Resolution to appoint Town Assessor to a 6-year term

RESOLUTION # 165: **APPOINT ASSESSOR TO SIX-YEAR TERM**

On a motion of supervisor Tessmer seconded by Councilman Clark, the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Whereas, Jeanne Ebersole was appointed Town Assessor on January 7, 2013, and

Whereas, pursuant to Real Property Tax Law §310, all appointed assessors serve on a statewide 6-year term which expires on September 30, 2013.

Therefore Be It Resolved that the Town Board re-appoint Jeanne Ebersole as Assessor to a 6-year term ending September 30, 2019.

5. Review Pool Permit Fees – A resident submitted an application for a permit for a 512 square foot in-ground pool and was charged \$512.00 for it. The fee for a 2,000 square foot new house is \$400.00. The planning board will look at the fee structure.

6. Budget Update through May 31st was handed out for the board to review. Departments have to watch their own budget lines and if there is not enough money in the line money will have to be transferred.

Workshop Topics

Mapping out a 5-Year Capital Improvement Plan – Supervisor Tessmer handed out a government guide from the Office of the State comptroller to the board. The board was asked to identify projects and submit them to the supervisor and he will contact department heads and compile a report.

Councilman Stelley redid the rules sheet for the recreation program and put the registration application on the website. The firework vendor will be paid via voucher, the same as last year.

Tom and Jeanette Flynn addressed the board regarding their application for a kennel permit, to foster dogs for a rescue organization, which was denied as not having enough land to meet the code. They put in for a variance and received a letter referring them to the town board. The supervisor will look into this.

With no further business, on a motion of Councilman Clark, seconded by Councilman Martin the meeting was adjourned at 9:51 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 8th day of July 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer
 James Musacchio, Attorney

Others Present: Richard Clark; Mae Horth; John Gibbs; Janet Vogtli; Richard Westland reporter
 Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 166: AGENDA APPROVAL

Motion made by Councilman Clark seconded by Councilman Martin to approve the agenda after adding resolution to approve inter-fund transfer of funds for the LKP community Center Capital Project under old business.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 167: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Supervisor Tessmer to approve the minutes of the Monday, June 17th town board meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 168: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #13 for 2013 dated July 8, 2013, vouchers # 447 - 480 for \$ 37,994.54.

General – Town Wide	10,806.48	Water District #1	65.80
General - Part Town	1,360.43	Water District #3	10.15
Highway	22,218.02	Water District #4	<u>2,668.88</u>
Special Lighting	832.11	Total	\$ 37,994.54
Special Refuse	32.67		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Public Access

John Gibbs owns property across from the Zoar Valley Gateway Park. People are coming out of the water trespassing through his property to travel to Zoar Valley. Mr. Gibbs wrote to Gowanda Mayor Heather McKeever asking that his property is posted as private property. If the town is going to give a letter of support to Gowanda for the project he requests signage be put up that if people continue on to Zoar Valley they are going onto private property.

Reports

Attorney Musacchio submitted a notice of public hearing on and requested an extension until August on the Vail Road permit. Mr. Musacchio stated both the Town and DEC have to approve the permit.

Recreation summer program started today.

Planning board hired Debra Martin as secretary, changed inground pool fee to \$100.00 and will meet on the second Tuesday of each month.

Town Clerk reported \$ 5,953.40 in sales last month with the town receiving \$ 5,602.88 and \$2,335,480.60 has been collected in taxes this year with \$206,157.28 being unpaid as of June 30, 2013.

Water Department report was gone through by Councilman Martin.

Board Reports

Councilman Martin attended the water and building committee meetings and Legislative Mills hot dog roast supporting the Collins Library.

Councilman Stelley reviewed the vouchers attended the liberty fest and has a tentative financial report and updated the website.

Councilman Gaylord reviewed the vouchers, attended the recreation and building committee meetings and attended Legislative Mills hot dog roast supporting the Collins Library.

Councilman Clark worked on the liberty fest.

Supervisor Tessmer attended the water and building committee meetings, worked on the short term rental/lease agreement, signed the agreement for the LKPCC masonry project, attended the bid opening June 28th. Mr. Tessmer will talk Monica from the Morning Enrichment about phase 1 of the LKP reuse plan of moving her upstairs to give the seniors the downstairs room. He went to the transfer station after the last trash day and there was a lot on the ground and we many have to revisit pay-for-use. Highway Superintendent Jensen was asked to have the employees get a vehicle count on the next trash day (cars, trucks, trailers and the number of trips generated). Short-term idea – put another open top accessible for the people. Councilman Martin asked if we have an attendant that can run the backhoe and have him compact the bins to save room and the use of a highway man.

RESOLUTION # 169: MODIFY PERMIT FEES FOR POOLS

Motion made by Councilman Gaylord seconded by Councilman Clark to modify the in ground pool fee to \$100.00 and issue a refund of the difference paid by Mark and Tamara Ondus.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Old Business

1. Resolution to award LKPCC Window Bid

RESOLUTION # 170: AWARD BID FOR LKPCC WINDOWS PROJECT

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town solicited bids for the window replacement work at the LK Painter Center, through Wm. Schutt Associates, who prepared the design specifications and bid package, and

WHEREAS, sealed bids were received by, and opened on, May 20, 2013, at 2:00 PM, and

WHEREAS, three qualified contractors submitted bids for the project, and

WHEREAS, the lowest responsible bidder meets the terms and conditions of the project requirements.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the LK Painter Center window replacement project to New Cal Construction, Inc. of Darien, New York, including the base bid of \$100,200.00, for first floor windows, \$19,150.00 for Alternate 1 - second floor windows, and \$9,700.00 for Alternate 2 – front entry doors, for a total lump sum bid of \$129,050.00, and

BE IT FURTHER RESOLVED, that the Town notify Wm. Schutt Associates of this award and instruct them to initiate the Execution of Agreement with New Cal Construction, Inc., and ensure all the terms therein are satisfied.

2. Resolution to award Generator Bid

RESOLUTION # 171: AWARD BID FOR LKPCC EMERGENCY GENERATOR INSTALLATION / EXTERIOR LIGHTING PROJECT

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town solicited bids for the installation of an emergency generator and upgraded exterior lighting fixtures at the LK Painter Center, through Wm. Schutt Associates, who prepared the design specifications and bid package, and

WHEREAS, Sealed bid were received by, and opened on, May 30, 2013, at 12:00 PM, and
WHEREAS, five qualified contractors submitted bids for the project, and
WHEREAS, the lowest responsible bidder meets the terms and conditions of the project requirements.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the LK Painter Center emergency generator installation and exterior lighting upgrades to Goodwin Electric Corporation, Inc. of Williamsville, New York, for \$31,400.00 for Alternate 1 only – generator installation and exterior lighting upgrades, and

BE IT FURTHER RESOLVED, that the Town notify Wm. Schutt Associates of this award and instruct them to initiate the Execution of Agreement with Goodwin Electric Corporation, Inc., and ensure all the terms therein are satisfied.

3. Resolution to purchase generator from state bid

RESOLUTION # 172: **PURCHASE EMERGENCY GENERATOR FROM STATE BID**

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, the Town solicited bids for the installation of an emergency generator and upgraded exterior lighting fixtures at the LK Painter Center, through Wm. Schutt Associates, who prepared the design specifications and bid package, and

WHEREAS, In an effort to save Town resources, Wm. Schutt Associates subsequently located an emergency generator that meets the project requirements on NY State Contract, and

WHEREAS, the supplier holding the State Contract (Better Power) has confirmed that the generator specified in the design is available through them.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins purchase from Better Power of Rochester, New York, one Item No. GENQT30A1KS, 30kW natural gas generator, 120/240 single phase steel, 200 Amp Automatic Transfer Switch, Battery, Battery Warmer, Wireless Monitor, Adapter Harness, and Block Heater at a total cost of \$12,032.00.

4. Resolution to sign contract with WSA for construction & inspection services

RESOLUTION # 173: **AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH WM SCHUTT ASSOCIATES**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, the Town is currently undertaking extensive rehabilitation work at the LK Painter Community Center, and

WHEREAS, The Town was awarded a \$100,000.00 Community Development Block Grant to assist with the funding of this work, and

WHEREAS, Wm Schutt Associates has been instrumental in the securing of the funding and preparation of the grant application, design and specifications, and the awarding of the contracts, and

WHEREAS, it is crucial to adhere to all the requirements associated with obtaining Federally-administered grant funding, including certified payrolls, contractor reporting, and construction inspection.

NOW, THEREFORE BE IT RESOLVED, that the Town authorize the Supervisor to sign the agreement with Wm Schutt Associates to provide Construction Administration Services and Resident Inspection Services during LK Painter rehabilitation project for a not-to-exceed amount of \$17,100.00

5. Resolution on County Snow Removal Contract

RESOLUTION # 174: **SUPPORTING A RESOLUTION TO THE COUNTY SNOW REMOVAL CONTRACT STALEMATE**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, THE Town of Collins recognizes that plowing and de-icing Town, as well as County roads, is in the best interest and safety of its residents, and

WHEREAS, Erie County and the 25 towns within the County have negotiated contracts which assure that the majority of the county roads within the towns would be maintained according to the same snow and ice control methods used on all Town roads, and

WHEREAS, these methods have been approved by the Erie County Department of Public Works, and

WHEREAS, in the past, all costs of manpower, equipment, and materials have been calculated to the satisfaction of all parties, and

WHEREAS, any issues that have arisen during snow and ice control in previous years have been resolved by all parties involved, and

WHEREAS, a new contract between the Towns and Erie County is currently being negotiated, and

WHEREAS, on March 20, 2013, there was a tentative agreement between the Towns and Erie County which included a 3-year term with an annual increase of 5% as was past practice, and

WHEREAS, this agreement was considered fair and within the budgeting confines of Erie County, and

WHEREAS, on April 16, 2013, Erie County made a counter proposal to increase the contract from 3 to 5 years and reduce the monetary increase to 0.5%, and

WHEREAS, the County proposed rate is one the Towns cannot afford, and

WHEREAS, the budgetary planning for 2014 will be starting soon in many municipalities, and

WHEREAS, the deadline for Towns to order road salt is now past.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins calls on the County Executive and the Erie County Legislature to help resolve the issue between the Erie County Department of Public Works and the 25 towns within Erie County with regard to snow removal and de-icing of County roads that is fair and equitable to all parties.

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Collins is to transmit copies of this resolution to Erie County Executive Mark Polancarz, Erie County Legislator John Mills, Erie County Legislature Chairwoman Betty Jean Grant, and Erie County Department of Public Works Commissioner John Loffredo, and the other towns within Erie County.

6. Thanks to all who helped make the 3rd annual Liberty Fest a success

7. Resolution to appoint Recreation staff alternate

RESOLUTION # 175: **APPOINT SUMMER RECREATION ALTERNATE COUNSELOR**

Motion made by Councilman Clark seconded by Supervisor Tessmer that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

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

Whereas, the Town wishes to fill the positions necessary for this program, and

Whereas, the Town advertised for the positions of Head Counselor, Counselor, and Craft Coordinator, and the Recreation Committee interviewed applicants responding to the ad, and made appointments as necessary at the June 17, 2013 Board meeting, including three alternate Counselor appointments, and

Whereas, these three alternates have already been appointed to regular positions, leaving a need for an additional alternate,

Therefore Be it Resolved, that the Town Board of the Town of Collins hire Robert Stark as Alternate Counselor, at \$8.75/hr.

8. Resolution needed to transfer money to the Capital Project Fund for the LKPCC Project

RESOLUTION # 176: **APPROVE TRANSFER OF MONEY FOR THE LKPCC CAPITAL PROJECT**

Motion made by Supervisor Tessmer seconded by Councilman Martin that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

Whereas, the Collins Town Board has approved capital improvements to the LKP Community Center building in the amount of \$228,782.00 including engineering design/bid specifications and construction/inspection services costs, and

Whereas, the Town of Collins will receive a \$100,000.000 CDBG grant to off set the cost of the project, and

Whereas, the Town Board has designated \$20,000.00 toward brickwork and \$4,000.00 toward the entry door for this project in line A1620.470 Improvements in the 2013 adopted town budget, and

Whereas, \$104,782.00 is still needed to fully fund the project.

Now Therefore Be It Resolved that the Collins Town Board hereby approves an inter-fund transfer of \$104,782.00 from the A Fund unassigned fund balance line A917 to the Capital Projects Fund line H12-5031 for this LKP Community Center Capital Project.

New Business

1. Resolution to accept May 2013 Supervisors Report

RESOLUTION # 177: **ACCEPT MAY 2013 SUPERVISORS REPORT**

Motion made by Councilman Martin seconded by Councilman Stelley to accept the Town of Collins Supervisor's Report as submitted, for the month of May 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

2. Resolution Designating the Town Clerk as an Agent for Service of a Notice of Claim

RESOLUTION # 178: **DESIGNATE TOWN CLERK AS RECIPIENT OF CLAIMS SERVED UPON SECRETARY OF STATE**

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim, and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary of State as the Town's agent, and

WHEREAS, pursuant to General Municipal Law §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins, County of Erie designates Becky Jo Summers, in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 14093 Mill Street, P.O. Box 420, Collins, New York 14034 and email at collinstc@roadrunner.com, and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the Town's designation and applicable time limitation for filing a notice of claim with the Town on or before July 14, 2013.

3. Resolution to set Public Hearing on Gernatt Gravel modification to Mining Permit

RESOLUTION 3 179: **SET PUBLIC HEARING FOR GERNATT ASPHALT VAIL ROAD PIT PERMIT MODIFICATION**

Motion made by Councilman Stelley seconded by Councilman Martin to set a public hearing on Monday, July 22nd at 7:00 pm, on the application by Gernatt Asphalt Products, Inc. for the Vail Road Pit-Permit modification and authorize publication of Hearing Notice as follows:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

NOTICE OF PUBLIC HEARING FOR THE TOWN OF COLLINS

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a Public Hearing

and receive public comment regarding the Gernatt Asphalt Products, Inc. Application Vail Road Pit-Permit Modification, Town of Collins, Erie County, DEC Permit No. 9-1436-00004/00001. The Town of Collins, after receiving public comment, may submit comments to the DEC regarding this application. A copy of the State Environmental Quality Review, Amended Negative Declaration, Notice of Determination of Non-Significance is posted at the Town of Collins Hall.

PLEASE TAKE NOTICE, that the Town Board will receive public comment regarding the modification of December 16, 1974 Special Use Permit for the same aforementioned Vail Road Pit which is currently operated by Gernatt Asphalt Products, Inc.

A Public Hearing will be held on July 22, 2013 at 7:00 p.m. at the Town Hall located at 14093 Mill Street, Collins, New York. The Town Board will receive oral and written comments regarding these applications. The Town Board may, under the Zoning Ordinances of the Town of Collins, impose conditions and restrictions upon said Special Use Permit.

Dated: July 8, 2013

Becky Jo Summers
Collins Town Clerk

4. Resolution to award Collins Town Park shelter bid

RESOLUTION # 180: **AWARD BID FOR SHELTER IN COLLINS TOWN PARK**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, the Town solicited bids for the construction of a 30' x 40' x 10' open air shelter in the Collins Town Park, and

WHEREAS, Sealed bid were received by, and opened on, June 28, 2013, at 12:00 PM, and

WHEREAS, two qualified contractors submitted bids for the project, and

WHEREAS, the lowest responsible bidder meets the terms and conditions of the project requirements.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the construction of a new open-air shelter in the Collins Town Park to Wiedeman & Sons Construction, of Sardinia New York, for the lump sum amount of \$9,500.00, and include Option 1 to install a steel ceiling for the amount of \$1,500.00; and fund the project from fund B7110.220.

5. Discussion on Playground equipment at Collins Town Park – Money has been set aside for equipment in the budget and look at spending \$20 – 25,000.00. Councilman Gaylord suggested looking on the state bid. Supervisor Tessmer would like the Parks and Recreation Advisory Committee make a recommendation of what they would like. Councilman Clark suggests getting another piece of equipment and go to \$30 – 35,000.00.

6. Discussion on Short-Term Rental Agreement – Supervisor Tessmer would like everyone look over the agreement and get back to him.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Clark the meeting was adjourned at 8:33 pm.

Becky Jo Summers, Town Clerk

A Public Hearing 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 22nd day of July 2013.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Robert Gaylord, Councilman	Becky Jo Summers, Town Clerk
	Mary Stelley, Councilman	Susan Gamel, Budget Officer
	Mary Clark, Councilman	James Musacchio, Attorney

Others Present: Ken Zicarelli, Rich Pecnik, Tom and Pat Robinson, Chester and Shirley Grudzien, Paula Steffan, Kurt Hirschman, Ed Grudzien, Richard Clark, Marty and Nancy Reid, Liz Reid, Bob Guglielmi, Dick Agle, Dave Agle, Anita Clareus, Justin Clareus, Charles Grudzien, bob Stelley, Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

Public Hearing 7:00 PM – Gernatt Asphalt products Vail Road mine permit modifications

RESOLUTION # 181: MOVE TO SCHEDULED PUBLIC HEARING

Motion made by Councilman Stelley, seconded by Councilman Clark, to hold a Public Hearing advertised and scheduled for this evening at 7:00 PM.

ADOPTED Ayes 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nays 0

The public hearing was declared open. Supervisor Tessmer read the notice of public hearing.

Comments were asked for from the floor:

1. Liz Reid is concerned about the noise, dust and all that comes with an open gravel pit area and feels the set backs are not fair.
2. Kurt Hirschman feels there is no consideration of his well with a low recovery rate; which the well is on property owned by Gernatt. The dust is a problem and the few times a year the water truck is used.
3. Paul Steffan lives on Zoar Rd and wants to know if her spring is located in the effected area. If it is will the mining stop and not proceed and who will fix the problem. (Fixing rests with the permittee.)
4. Nancy Reid's concern is not knowing how things will be effected.
5. Tom Robinson is very pro-business and does not want to hurt Dan Gernatt and does not want anyone hurt us. Mr. Robinson asked what is the life of a mine and the depth. He also is concerned over the condition of the roads. He did call Gernatt's and got "an attitude" that farmers make a bigger mess than we do. Who do we call with a complaint? When the temperature increases the tar rolls up over the tires.
6. Chet Grudzien concern the rain is not soaking into the spring and wants the set backs to stay where they are.
7. Paula Steffan asked why her well was not tested. It is closer to the line than Charlie and Chet Grudzien's. Is there a test to determine quality and quantity of water? Rich Pecnik stated they monitor them.
8. Bob Guglielmi asked how long the process will take if there is a mining problem. [You would complain to the DEC within seven days and if it is their problem they will fix.] There is quality of life issues here – would like to see pit come no closer and speed limit put on road. Put yourself in our place. Would you want the trucks, dust and mining closer to your house.
9. Tom Robinson asked who loads the trucks. The drivers do. He hopes they will not cut too deep.
10. Rich Pecnik of Gernatt's stated there are bench marks for digging. Mr. Pecnik will go with Ms. Steffan and test her water.
11. Rich Pecnik from Gernatt's said there will be no change in hours of operation, the water truck is there twice a day, will do best to go slow but suggest a lower speed limit on Vail Road, when the gravel is gone they will reclaim the land as a bond has been obtained for that reason.

12. Ken Ziccaarelli of Gernatt's discussed some of the issues that were brought up: mining standards, blowing wind, berms, logging the woods. He understands quality of life issues and feels they can do better on some things.

13. Justin Clareus concern does affect the value of the property that no one will want to buy to look at the pit.

14. Councilman Martin questioned what requires berms. None but they put them in.

DEC is the enforcer on all complaints and they have to respond to all complaints. The town can set limits of noise, dust, hours of operation, barriers, setbacks and zoning prohibitions.

After all comments were heard, the hearing was declared closed at 7:36 pm and the proceeding was adjourned.

RESOLUTION # 182: **CLOSE PUBLIC HEARING**

Motion made by Councilman Clark seconded by Councilman Martin to close the public hearing at 7:36 pm.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Attorney Musacchio spoke with the Association of Towns and has some information for the board and requests an executive session.

RESOLUTION # 183: **ENTER IN EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board moves into an executive session at 9:00 PM on an attorney client issue.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 184: **RETURN TO REGULAR SESSION**

Motion made by Councilwoman Clark seconded by Councilman Gaylord that the Board returns to regular session at 9:50 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

With no further business, on a motion of Councilman Stelley, seconded by Councilman Clark the meeting was adjourned at 9:51 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 12th day of August 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney

Others Present: Nancy Reid; Liz Reid; Karen Ayers; Sal Dicembre; Dan Gernatt Jr.; Ken Ziccarelli; Rich Pecnik; Paula Steffan; Kurt Hirschman; Tom Robinson; Chet Grudzien; Brian Martin; Ed Grudzien; Margaret Degenfelder; Tom and Jeanette Flynn; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 185: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 186: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the July 8th town board meeting and July 22nd public hearing.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 187: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #14 for 2013 dated August 12, 2013, vouchers # 481 - 570 for \$ 164,430.93.

General – Town Wide	15,467.37	Water District #1	1,295.45
General - Part Town	10,684.69	Water District #3	218.70
Highway	109,847.78	Water District #4	0.87
Special Lighting	937.04	LKP	<u>3,719.40</u>
Helmuth Fire Control	20,100.00	Total	\$ 164,430.93
Special Refuse	2,159.63		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Public Access

1. Liz Reid thanked the board members who went to the gravel pit and clarified the 'wind tunnel' behind her house.
2. Karen Ayers of the Lion's Club asked for permission to use the front parking lot of the LK Painter Community Center for a fundraiser for the Lion's. (Resolution will be presented at next meeting.)
3. Tom Flynn addressed the board on behalf of his brother-in-law that the water is very bad; smell and turned the filter in a very short time brown. Mr. Flynn brought up the condition of a number of houses on Spring and Orchard. The code enforcement department will look into it.

Reports

Code Enforcement Officers presented their report and Mr. Degman feels the penalty for building without a permit is excessive (two times the permit fee). The planning board and code enforcement will check it out. The maximum fine in court is \$150.00.

Highway department is finishing oil and chipping; filling in washouts and the water fountain in Collins Center Park will be repaired. The fuel tanks have been inspected. Trash day at the transfer station was light last month; the backhoe being there made a big difference.

Planning board is working on special use permits.

Water Department received some complaints of smelly and brown water. July 31 was the cut-off date to pay water bills before being put to the tax roll. Councilman Martin explained a lot of people have not paid their bills and wonders if we should send a letter to the landlords regarding the late payment. The board agreed.

Town Clerk reported \$ 7,177.80 in sales last month with the town receiving \$ 6,876.74 and \$2,335,480.60 has been collected in taxes this year with \$206,157.28 being unpaid as of June 30, 2013.

Board Reports

Councilman Martin walked through the Collins Park; the surveyor has started field work.

Councilman Stelley met with Councilman Clark and Rick Pecnik by Liz Reid's; went through the Liberty Fest report. Things will be done differently next year. Reviewed the vouchers and departments need to get them turned in sooner; updated the website and met on the park shelter.

Councilman Gaylord met on the park shelter; met at the mining area and reviewed the vouchers,

Councilman Clark met on the park shelter location; mining on Vail Road; met with the supervisor and contractor and with the highway superintendent.

Supervisor Tessmer met with Councilman Gaylord on the hospital; attended pre-construction meeting on the LJP; met at the Vail Road gravel site; met at the new shelter site; met with Matt Wurst regarding water issues and the new pump on line; drafted dog control monthly report template; met with Charles Sickler of EC regarding the highway contract and requested a mowing schedule. The LKP had storm water issues which seemed to be an outside problem. Mr. Tessmer set-up interviews for water worker and met with the highway department on the shelter.

Old Business

1. Resolution on Vail Road Special Use Permit Agreement – discussion ensued regarding setback distances, berms, reclamation, property lines, quality of life issues, dust control, gates, hours of operation and trucks. Any complaints would be directed to the Department of Environmental Conservation (DEC).

RESOLUTION # 188: **GRANT DAN GERNATT GRAVEL PRODUCTS SPECIAL USE PERMIT FOR VAIL ROAD PIT**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

No 0

WHEREAS, Dan Gernatt Gravel Products Inc. has applied to the Town of Collins for a Special Use Permit to modify the setback distances on their Vail Road gravel mine to allow for an additional 12.25 acres to be mined, and

WHEREAS, the NYSDEC, as SEQR Lead Agency, has determined that the proposed modification to the setback distances will not have a significant impact on the environment, and issued a Negative Declaration for the project which also incorporated additional requirements for future gravel mining operations.

NOW THEREFORE BE IT RESOLVED, that the Town of Collins Town Board direct the Town Attorney to prepare an agreement with Dan Gernatt Gravel Products, Inc. for the proposed expansion with the following provisions:

1. The existing setback for Vail Road shall be modified from 250 feet from the centerline of Vail Road to 25 feet from the highway right-of-way on the north side and 25 feet from the utility right-of-way the south side of the gravel pit per DEC regulations.

2. The existing setback of 100 feet for the westerly boundary line on the North side of the mine shall be modified to 25 feet per DEC regulation.
3. The existing setback of 100 feet for the easterly boundary line on the North side of the mine shall be modified to 50 feet, with the limit of excavation set at 100 feet from the easterly boundary line.
4. Gernatt Asphalt Products, Inc. shall provide a berm and/or shrubbery along the easterly boundary lines on the North and South side of the gravel pit to a distance of 250 feet from the centerline of Vail Road.
5. All other provisions of the 1974 agreement shall remain in full force and effect, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of General Municipal Law, the Town will also consider any recommendations from the Erie County Department of Environment and Planning received before August 25, 2013, in the Agreement.

2. Planning Board Zoning Code Updates – for Board to review and offer comments

3. Discussion on Dog Kennel Permits – planning board recommends changes to the number of dogs allowed to five and if over five a Kennel / Boarding Permit is required. They also recommend adopting NYS Dog Kennel and Boarding guide lines and make it a separate permit. Mr. and Mrs. Flynn would like the board consider their dog rescue efforts for licensing them and their dogs.

4. Resolution increasing Transfer Station tire permit size to 22-inch passenger tires

RESOLUTION # 189: **ALLOWING THE TRANSFER STATION TO ACCEPT PASSENGER TIRES UP TO 22 INCHES**

Motion made by Supervisor Tessmer seconded by Councilman Clark to modify the Town of Collins Transfer Station policy to allow residents to purchase tire disposal permits for passenger tires up to 22 inch rim size.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

5. Resolution on purchase of recording system by the Helmuth Advisory Board – it was mentioned the town should look into going someplace else for dispatch service as there are other venues out there. Tom Flynn stated if the town leaves Helmuth control local knowledge will be lost.

RESOLUTION # 190: **HELMUTH ADVISORY BOARD PURCHASE OF RECORDING SYSTEM**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 No 0

WHEREAS, the Helmuth Dispatch Advisory Board has recommended that a recording system be purchased to record all calls for Helmuth Dispatch, and

WHEREAS, after researching recording systems, the advisory board has recommended the purchase of a voice recording system from NICE Systems, Inc. through The Wilmac Company on state bid at a cost of \$19,838.00, and

WHEREAS, the Helmuth Fund has \$18,623.00 in unassigned fund equity as of 12/31/12, and

WHEREAS, the Helmuth Chiefs Council will supply \$5,000.00 toward purchase of a recording system.

NOW, THEREFORE, BE IT RESOLVED, that the Collins Town Board approves that the Town of North Collins, as lead agency for Helmuth Fire Dispatch, purchase a voice recording system from NICE Systems, Inc. through The Wilmac Company on state bid at a cost of \$19,838.00, using the \$5,000.00 from the Helmuth Chiefs Council and the balance from unassigned fund equity in the

Helmuth Fund, and

BE IT FURTHER RESOLVED, that the Collins Town Clerk send a copy of this resolution to the Town of North Collins as lead agency for Helmuth Fire Control to the attention of Supervisor Rosaline Seege.

New Business

1. LKPCC Project Status / Schedule:

Emergency power generator	Aug 12
Window replacement	Sept. 2
Front entry doors replacement	concurrent with window replacement
Brick façade restoration	concurrent with window replacement

2. Resolution to accept Town Justices 2012 Financial Audit

RESOLUTION # 191: **ACCEPT TOWN JUSTICES 2012 AUDIT REPORT**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
No 0

WHEREAS, the N.Y.S. Unified Court System's "Action Plan" for the Justice Courts 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 of Freed Maxick, CPA's 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 2012, as prepared by Freed Maxick CPA's.

3. OCA Town Court Internal Audit – for Board review

4. Discussion on Transfer Station accepting scrap metal on "trash days" – many people bring it in and have to take it back home so board said to accept scrap metal on trash days.

5. Resolution to accept Supervisors Reports for June and July 2013

RESOLUTION # 192: **ACCEPT JUNE AND JULY 2013 SUPERVISORS REPORTS**

Motion made by Councilman Clark and seconded by Councilman Stelley to accept the Town of Collins Supervisor's Report as submitted, for the months of June and July 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

6. Resolution to accept credit/debit cards for Town Clerk services

RESOLUTION # 193: **AUTHORIZING TOWN CLERK TO ACCEPT CREDIT/DEBIT CARD PAYMENTS**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
No 0

WHEREAS, the Town issues licenses, permits, sells garbage bags and stickers, accepts property tax payments and water payments, and

WHEREAS, the Town accepts cash, checks and money orders, and

WHEREAS, town residents have expressed interest in paying with credit and debit cards, and

WHEREAS, General Municipal Law § 5 authorizes towns to provide for the acceptance of credit/debit cards.

NOW, THEREFORE BE IT RESOLVED the Town Board authorizes the Town Clerk's office to accept payments by credit/debit cards for any transactions through the office.

7. Resolution on repairing transfer station bins

RESOLUTION # 194: **INSTITUTE TRANSFER STATION BIN REPAIR SCHEDULE**

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

No 0

WHEREAS, the Town of Collins currently owns and maintains a number of containers used for compacting and hauling trash and recyclables, and

WHEREAS, the cost to replace one container is approximately \$7,000.00, and

WHEREAS, due to the harsh environment and continual use of these containers, some of them are in need of repairs to remain in service, and

WHEREAS, in an effort to prolong the life of these containers and control replacement costs, it is prudent to institute a maintenance and repair program for them.

NOW THEREFORE BE IT RESOLVED, that effective immediately the Town undertake a program to refurbish all containers currently in use, by removing one container from service each six-month period on a rotating basis, to clean, repair, and prime/paint them using Town personnel, and

BE IT FURTHER RESOLVED, that a log sheet be kept by the Highway Superintendent identifying each container by number with its corresponding maintenance record.

Executive Session – to discuss the employment history of a Town employee

RESOLUTION # 195: **ENTER INTO EXECUTIVE SESSION**

Motion made by Councilman Clark seconded by Councilman Martin that the Board moves into an executive session at 9:55 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

RESOLUTION # 196: **RETURN TO REGULAR SESSION**

Motion made by Councilwoman Gaylord seconded by Councilman Clark that the Board returns to regular session at 10:20 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

With no further business, on a motion of Councilman Gaylord, seconded by Councilman Clark the meeting was adjourned at 10:25 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 held at the Town Hall, 14093 Mill Street, Collins, NY on the 3rd day of September 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney (arrived 7:12)

Others Present: Doug Martindale; Wayne Harvey; Dick Agle; Margaret Degenfelder; Tom Flynn and Dick Clark

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

RESOLUTION # 197: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 198: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Clark to approve the minutes of the August 12th meeting.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 199: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #15 for 2013 dated September 3, 2013, vouchers # 571 - 606 for \$ 41,797.19:

General – Town Wide	5,320.60	Water District #3	477.04
General - Part Town	5,587.57	Water District #4	6.01
Highway	7,339.35	LKP	<u>17,485.62</u>
Special Refuse	2,115.48	Total	\$ 41,797.19
Water District #1	3,465.52		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Public Access

Wayne Harvey asked if anything has been done to re-instate the September Trash Day. Supervisor Tessmer will look at the budget and talk with the highway superintendent.

Reports

Attorney Musacchio circulated the gravel permit agreement and reported on the assessment case with MBM Investments over the Ames property.

Code Enforcement Officers submitted their report and stated they will be in school for part of next week. Charles Siegle reported he could not find anything drastically wrong with his inspection of property on Spring Street and he will check across the street on the shed issue.

Highway department helped on projects at the LKP Community Center. They are working on the snow plowing contract with Erie County, and maintaining the equipment and ditching.

Parks - Sand has been put on the three ball fields which will be leveled in the spring. One bench has been put in and another will be placed after the playground equipment is placed. The site is ready for the new shelter. Councilman Gaylord reported on the cash reports.

Town Clerk reported \$ 9,760.20 in sales last month with the town receiving \$ 5,691.37.

Water Department – Matt Wurst is working on the chlorine system, fixed the drinking fountain leak in Collins Center. Matt is keeping an eye on the contractor for the Route 62 State water project as they are putting lines in. They will not hook up to our system until we have a signed

agreement with them.

Board Reports

Councilman Martin reviewed the vouchers and attended the Helmuth Fire Control meeting.

Councilman Stelley reviewed the vouchers and updated the website.

Councilman Gaylord attended the Parks and Recreation Committee meeting and reviewed the vouchers.

Councilman Clark met with the supervisor and with the highway superintendent.

Supervisor Tessmer attended the Assoc. of EC Governments meeting; met with Joanne from Perma on our workers compensation; met with John Wilson of Wm Schutt on the LKP project where work will start this week; spoke with the surveyor on the park survey; confirmed interviews on the water's part time employee and after interviews with set up a meeting with the EC Health Dept.; met with EC Legislator John Mills and worked on the EC Snowplowing contract. At the end of the summer recreation program, Brian and Amy Jaroszewski (the ice cream truck) donated \$ 50.00

Old Business

1. Update on County Snow Removal Contract – Highway superintendents met with the county that a 5% increase is acceptable. The county came back with a 0.5%. All superintendents are encouraged to attend the meeting with Erie County on September 17th.

2. Resolution authorizing Supervisor to sign agreement with Dan Gernatt Gravel Products, Inc.

RESOLUTION # 200: **RESOLUTION: AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH DAN GERNATT GRAVEL PRODUCTS, INC.**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, Dan Gernatt Gravel Products Inc. has applied to the Town of Collins for a Special Use Permit to modify the setback distances on their Vail Road gravel mine to allow for an additional 12.25 acres to be mined, and

WHEREAS, the Collins Town Board authorized the Town Attorney to prepare an agreement based on the conditions established by the Town Board after the review of the project and public hearing; and such agreement has been prepared.

NOW THEREFORE BE IT RESOLVED, that the Town of Collins Town Board authorize the Supervisor to sign said agreement with Dan Gernatt Gravel Products, Inc. for the Vail Road gravel mine setbacks.

3. Resolution authorizing Lions Club use of LKPC parking lot on September 13, 2013

RESOLUTION # 201: **RESOLUTION: ALLOW THE GOWANDA LIONS CLUB THE USE OF THE LKPC PARKING LOT**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, The Gowanda Lions Club has requested the use of the L.K. Painter Center parking lot to hold a yard sale fundraiser, and

WHEREAS, it is the objective of the Town to promote the use of Town facilities for community events.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board grant the Gowanda Lions Club the use of the L.K. Painter Center parking lot to hold its yard sale on Friday, September, 13, 2013.

3. Resolution to solicit bids for Town Hall roof project

RESOLUTION # 202: **RESOLUTION: SOLICIT BIDS FOR TOWN HALL ROOF REPLACEMENT**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, In the Town's ongoing effort to repair and rehabilitate Town facilities, the Town Hall roof replacement (shingles) has been identified as a critical project, and

WHEREAS, It is prudent and cost conscious to replace the roof shingles expeditiously to prevent damage to the roof structure which will increase the cost.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize Doug Martindale to prepare an RFP and solicit bids in accordance with the requirements in Town's procurement policy, for the installation of architectural roofing shingles on the Town Hall.

4. Resolution to repair LKPC wheel chair lift – The lift did not pass inspection and the supervisor suggests removing the lift from the town hall and installing it at the LKP. Councilman Gaylord suggests getting a new one for the LKP. Supervisor Tessmer will look into this.

New Business

1. Resolution to place ad for Winter Recreation staff

RESOLUTION # 203: **RESOLUTION: ADVERTISE FOR WINTER RECREATION STAFF**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord to advertise in for Winter Recreation staff in the Gowanda News and Springville Journal the weeks of September 7, and September 14, 2013, with applications due by September 20, 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

2. Resolution authorizing Justice Cain to apply for JCAP grant

RESOLUTION # 204: **RESOLUTION: AUTHORIZE JUSTICE COURT TO APPLY FOR JCAP GRANT**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to authorize the Town Justice Court to apply for 2013-14 Justice Court Assistance Program (JCAP) grant money for the purpose of purchasing a desktop copier, money safe, chair and completing downstairs office for a jury deliberation room.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

3. Resolution authorizing Justice Court to hire Court Officer

RESOLUTION # 205: **RESOLUTION: AUTHORIZE JUSTICE COURT TO HIRE COURT OFFICER**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to authorize the Town Justice Court to hire a court officer for four regular court nights per month, at a pay-rate of \$12.50 per hour, to be paid from Budget line A1110.400 – Contractual, for the remainder of 2013, and then from Budget line A1110.120 – Employees-Safety Officer, once funded.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Councilman Martin asked for information regarding the assessor. Supervisor Tessmer will meet with Ms. Ebersole and report back.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Clark the meeting was adjourned in Memory of Ron Franze at 9:08 pm.

Becky Jo Summers, Town Clerk

A Budget Workshop of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 9TH day of September 2013.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Robert Gaylord, Councilman	Becky Jo Summers, Town Clerk
	Mary Stelley, Councilman	Susan Gamel, Bookkeeper
	Mary Clark, Councilman	

The A, B, SF, SF2, L AND SL1 Funds were gone through.

The workshop was closed at 8:40 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 16th day of September 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney (arrived 7:12)

Others Present: Wayne Harvey; Margaret Degenfelder; Richard Clark; Richard Westland reporter
 Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 206: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 207: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the minutes of the September 3rd meeting and September 9th budget workshop.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 208: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #16 for 2013 dated September 16, 2013, vouchers # 607 - 626 for \$ 30,675.35:

General – Town Wide	7,845.84	Special Refuse	121.88
General - Part Town	1,445.03	Water District #1	2,153.14
Highway	9,781.28	Water District #3	499.12
LKPCC	7,875.00	Water District #4	24.25
Special Lighting	929.81	Total	\$ 30,675.35

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Old Business

1. Resolution on budget modification for Court Officer

RESOLUTION # 209: BUDGET MODIFICATION FOR COURT OFFICER

Motion made by Supervisor Tessmer and seconded by Councilman Clark to make the following budget modification: Budget line A1110.120 – Employees-Safety Officer, be reduced by \$1,500.00, and Budget line A3120.100 – Constables Personal Services, be increased by \$1,500.00, to cover salary for the remainder of 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

2. Resolution to modify Building Permit Fees

RESOLUTION # 210: REVISE FINE SCHEDULE FOR BUILDING WITHOUT A PERMIT

Motion made by Supervisor Tessmer seconded by Councilman Martin that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Whereas, On April 15, 2013, the Town Board, upon the recommendation of the Planning Board and Code Enforcement Office, adopted new building permit fees, and

Whereas, upon additional review, the fine structure for "building without a permit" has been determined to be excessive in some cases.

Now, Therefore be it Resolved, that the fine for building without a permit be changed to "an amount equal to the permit fee up to \$250.00 maximum – in addition to the base permit fee."

3. Resolution to hire Planning Board secretary and modify budget for salary – Margaret Degenfelder asked if this is nepotism and Wayne Harvey asked why the water and recreation committees did not have a secretary and the planning board has. Per state law the planning board's secretary is a non-voting member.

RESOLUTION # 211: HIRE PLANNING BOARD SECRETARY

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the following is

ADOPTED Aye 4 Stelley, Gaylord, Clark, Tessmer

Nay 0

Abstained 1 Martin

Whereas, the Planning Board has appointed Debra Martin as recording secretary effective July 1, 2013, and

Whereas, the salary for the recording secretary position is set at \$25.00 for each meeting.

Therefore, Be it Resolved that the Town hires Debra Martin as Planning Board secretary effective July 1, 2013, at a salary of \$25.00 per meeting, and

Be it Further Resolved that the Town Board make the following budget modification to pay the secretary for the remainder of 2013: Budget line B8020.400 – Planning – Contractual, be reduced by \$175.00 and Budget line B8020.100 – Planning – Personal Services be increased by \$175.00.

New Business

1. Resolution to set Public Hearing on Local No. 2 of 2013 to override the Tax Levy Limit

RESOLUTION # 212: TO SET PUBLIC HEARING ON LOCAL LAW NO. 2 OF 2013 TO OVERRIDE TAX LEVY LIMIT

Motion made by Councilman Gaylord seconded by Councilman Clark to set a public hearing on Local Law # 2 of 2013 on October 7, 2013, at 7:30 pm to override the tax levy limit.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW NO. 2 OF THE
YEAR 2013 FOR THE TOWN OF COLLINS**

PLEASE TAKE NOTICE that pursuant to Section 20 of the Municipal Home Rule Law, a public hearing will be held before the Town Board of the Town of Collins, New York, at the Town Hall, 14093 Mill Street, Collins, New York, on **Monday, October 7, 2013, at 7:30 p.m.** to consider the following:

Town of Collins Proposed Local Law No. 2 - 2013, which will allow the Town Board 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.

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 2014 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 2014 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.

2. Resolution to set Public Hearing on 2014 CDBG Project Requests

RESOLUTION # 213: **SET PUBLIC HEARING ON 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE PROJECTS:**

Motion made by Councilman Gaylord, seconded by Councilman Clark to set a public hearing on October 7, 2013 at 8:00 pm to discuss 2014 Community Development Block Grant eligible projects.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

**NOTICE OF PUBLIC HEARING
FOR TOWN OF COLLINS
FEDERAL COMMUNITY DEVELOPMENT FUNDS**

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **Monday, October 7, 2013 at 8:00 pm** at the Collins Town Hall, 14093 Mill Street, regarding the use of Federal Community Development funds in the Town of Collins.

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

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

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

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at 532-4887 ext. 101 by October 2, 2013.

Workshop Topics

Town Code Analysis and Updates – Councilman Martin went through the Introduction packet for

the new town code.

Chapter 253, Solid Waste which includes the transfer station and mandatory recycling was gone through. Some changes were made and he will insert them.

Our Chapter 30 Zoning is to be gone over. The Planning Board does not have some items included that were changed. Attorney Musacchio will email this chapter to all. Planning Board will get the sub-division and kennel sections.

Update to all: the park shelter has not been started yet. Councilman Gaylord reported at the last library meeting the board reluctantly approve the Memorandum of Understanding with an attached letter explaining our position. Most libraries are not in favor of this.

The Erie County Executive will be at the Concord Town Hall on Thursday, September 19th at 7:00 pm.

Thursday, September 19 is the next budget workshop at 4:00 pm.

Next meeting will be Monday, September 23, 2013 – Special Meeting to review roof bids and discuss 2014 Budget

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

Becky Jo Summers, Town Clerk

A Budget Workshop of the Town Board of the Town of Collins, County of Erie and the State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY at 4:00 pm on the 19TH day of September 2013.

Present: David Tessmer, Supervisor Mary Stelley, Councilman
 Robert Gaylord, Councilman Becky Jo Summers, Town Clerk
 Mary Clark, Councilman Susan Gamel, Bookkeeper

Also Present: Dennis Jensen Highway Superintendent; Peter Waterman Deputy Highway Superintendent; Matt Wurst Water Maintenance Worker

Absent: Kenneth Martin, Councilman

The water and highway funds were gone through. Four candidates were interviewed for the second water person and there is money put in the budget to cover this.

A 3% increase was approved by Erie County on the amount for the snow plowing contract. The highway no longer purchases salt/sand mix, they mix it themselves so those lines will not be used anymore. The highway barn has problems and Denny is looking at a bigger building.

It looks as though health insurance premiums will increase by 18%. Anne will have rates for us the end of October.

With no further business, on a motion of Councilman Clark, seconded by Councilman Martin the meeting was adjourned at 9:25 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 held at the Town Hall, 14093 Mill Street, Collins, NY at 7:00 pm on the 23rd day of September 2013.

Present: David Tessmer, Supervisor Mary Stelley, Councilman
Robert Gaylord, Councilman (7:27) Becky Jo Summers, Town Clerk
Kenneth Martin, Councilman Susan Gamel, Bookkeeper
Mary Clark, Councilman

Also Present: Karen Jentz; Mark Mangano

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

RESOLUTION # 214: **AGENDA APPROVAL**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Old Business

1. Resolution to award town hall roof project

RESOLUTION # 215: **AWARD BID FOR TOWN HALL ROOF PROJECT**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town solicited bids for the replacement of roofing shingles on the Town Hall,
and

WHEREAS, Sealed bids were received by, and opened on, September 20, 2013, at 5:00 PM,
and

WHEREAS, two qualified contractors submitted bids for the project, and

WHEREAS, the lowest responsible bidder meets the terms and conditions of the project requirements.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the roofing project at the Town Hall to Smigiels Home Improvement, 43 Miller Street, of Gowanda, New York, for the lump sum amount of \$ 11,800.00 and include Option 1 to tear off the existing shingles at an additional cost of \$ 4,500.00.

New Business - 2014 Budget – B-Fund, highlights and concerns

1. Mark Mangano is requesting to replace an eight-year old mower. Supervisor Tessmer and Mark will put together a bid request and check out the state bids. Mr. Mangano would like to resurface the basket ball courts and do the Collins one this year. Also, he would like to upgrade the grills, garbage cans and weed eaters.

2. Helmuth – The Village of North Collins is looking to go to the Town of Evans for dispatch. If the town wants to go to another dispatch service the fire commissioners and chiefs should be contacted for their input. A few members of the board will try to make the next fire commissioners meeting.

3. Transfer station - Councilman Clark reported the transfer station truck is in need of extensive repairs and tires and the compactor also needs repairs.

With no further business, on a motion of Councilman Clark, seconded by Councilman Stelley the meeting was adjourned at 8:36 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 October 2013.

Present: David Tessmer, Supervisor
Robert Gaylord, Councilman
Mary Stelley, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney (arrived 7:12)

Others Present: Matt Minnick; Maureen Minnick, Tom Flynn; Margaret Degenfelder; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

Absent: Mary Clark, Councilman

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

RESOLUTION # 216: AGENDA APPROVAL

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

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

RESOLUTION # 217: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the September 16 meeting and September 19 and 23 budget workshops.

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

RESOLUTION # 218: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #17 for 2013 dated October 7, 2013, vouchers # 627 - 670 for \$ 26,287.24:

General – Town Wide	7,182.74	Special Refuse	784.35
General - Part Town	2,471.40	Water District #1	4,585.75
Highway	7,279.96	Water District #3	44.58
LKPCC	2,979.75	Water District #4	1.10
Special Lighting	957.61	Total	\$ 26,287.24

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

Public Access

Tom Flynn asked if the board has done anything on the dogs yet. The dog code will be modified to try and deal with it. Also Mr. Flynn asked about the water line on Route 62. Supervisor Tessmer explained the line has been abandoned from Weinerville north and the town does not have an agreement with the state.

Public Hearing 7:30 PM – Local Law # 2 of 2013 – To Override Tax Levy Limit

RESOLUTION # 219: MOVE TO SCHEDULED PUBLIC HEARING ON LOCAL LAW NO. 2 OF 2013 TO OVERRIDE TAX LEVY LIMIT

Motion made by Councilman Gaylord, seconded by Councilman Martin to open public hearing on Local Law # 2 of 2013 at 7:30 pm to override the tax levy limit.

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

PLEASE TAKE NOTICE that pursuant to Section 20 of the Municipal Home Rule Law, a public hearing will be held before the Town Board of the Town of Collins, New York, at the Town Hall, 14093 Mill

Street, Collins, New York, on Monday, October 7, 2013, at 7:30 p.m. to consider the following:

Town of Collins Proposed Local Law No. 2 - 2013, which will allow the Town Board 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.

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 2014 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 2014 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.

Supervisor Tessmer read the notice of public hearing and explained the local law will allow the Town Board 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.

Supervisor Tessmer asked for comments. None were received.

RESOLUTION # 220: **CLOSE PUBLIC HEARING ON LOCAL LAW NO. 2 OF 2013 TO OVERRIDE TAX LEVY LIMIT**

Motion made by Councilman Stelley and seconded by Councilman Martin to close the Public Hearing on Local Law No. 2 of 2013 to override the tax levy limit, at 7:37 PM.

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

RESOLUTION # 221: **ADOPT LOCAL LAW NO. 2 OF 2013 TO OVERRIDE TAX LEVY LIMIT**

Motion made by Supervisor Tessmer and seconded by Councilman Martin to adopt Local Law No. 2 of 2013 to override the tax levy limit.

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

Reports

Code Enforcement Officer Siegle handed out the monthly report.

Highway Superintendent Jensen reported the fuel tanks have been painted; working on truck box; helping the Village of Gowanda haul dirt. The transfer station compactor cylinder has not been fixed yet – they are having a hard time locating seals for it. Mr. Jensen will have quotes for an open top by the next meeting. Tuesday the highway will help the water department do a water service; valves were cleaned on Mill Street.

Parks - Mark Mangano would like to replace the chains on the swings and he will get prices. We have received the survey of the park property and we own 50' more to the south beyond the fence that is there. The town also gained approximately 50% more ATV trails through the woods. There is a fort in the middle of the town woods that will be taken down. Councilman Gaylord attended the last Parks and Recreation Advisory Committee meeting; all but one bench has been put in and that one will be placed near the new pavilion.

Town Clerk reported sales of \$ 11,570.75 last month with the town's portion \$ 5,250.22.

Water department monthly meeting was held September 25th. Updates were given on DOCCS project, chlorine tank, valve risers, LKPPC main shutoff, auto dialer for WD1 pump house.

Board Reports

Councilman Martin attended the Helmuth Advisory meeting.

Councilman Stelley updated the website and reviewed the vouchers.

Councilman Gaylord attended the NEST, library, recreation meetings and reviewed the vouchers. Supervisor Tessmer met with department heads on the budget, working with DEC regarding town garbage haulers, will develop an application on water service tap application, working with the town justices on the JCAP grant, spoke with the town hall roof project contractor, attended the water meeting, will work with the highway department on rehab of the bins and will meet with Anne Cooper about health insurance on Thursday.

Public Hearing 8:00 PM – on 2013 Community Development Block Grant Project Requests**RESOLUTION # 222: OPEN SCHEDULED PUBLIC HEARING ON 2014 CDBG PROJECT REQUESTS**

Motion made by Councilman Gaylord and seconded by Councilman Stelley to interrupt Board meeting to conduct a Public Hearing on 2014 Community Development Block Grant project requests as advertised and scheduled for this evening at 8:00 PM.

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

Supervisor Tessmer read the public hearing notice.

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **Monday, October 7, 2013 at 8:00 pm** at the Collins Town Hall, 14093 Mill Street, regarding the use of Federal Community Development funds in the Town of Collins.

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

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

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

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at 532-4887 ext. 101 by October 2, 2013.

Supervisor Tessmer explained the Community Development Block Grant Program and the projects the town has received grant money for in the past. Project proposals are due to Erie County by October 28, 2013.

Suggestion for this year;

1. Rural Transit
2. Playground equipment
3. Replace stairs at front entrance of LKPCC
4. Eden-North Collins Food Pantry

The ranking will be done at the next meeting.

RESOLUTION # 223: CLOSE PUBLIC HEARING ON 2014 CDBG PROJECT REQUESTS

Motion made by Councilman Martin and seconded by Councilman Stelley to close the Public Hearing on 2014 CDBG project requests at 8:09 PM.

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

Old Business

1. Resolution to purchase commercial lawn mower

RESOLUTION #224: PURCHASE COMMERCIAL LAWN MOWER

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

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

WHEREAS, the Town currently owns a 2005 Ferris mower for use in maintaining Town properties, and

WHEREAS, the mower is 8 years old and has more than 1,600 hours on it, and

WHEREAS, in an effort to update equipment on a reasonable interval and prevent breakdowns, the Parks Department solicited three bids for a 24+/- HP, 60+/- inch cut front end mower.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the purchase of a Ferris 24 HP, 61" deck, three wheel mower from Lamb & Webster for \$8,450.00 with a \$2,100.00 trade in allowance, for a net cost of \$6,350.00, to be paid from Budget Line B7110.220 – Parks Improvement.

2. Resolution to hire part-time water department laborer

RESOLUTION # 225: HIRE PART-TIME LABORER IN WATER DEPARTMENT

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

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

WHEREAS, in order to meet the requirements of the Erie County Health Department, and to provide continuous coverage in the Water Department, it is necessary to have a licensed back-up operator, and

WHEREAS, to fulfill those responsibilities, the Town advertised for and interviewed qualified candidates for the part-time position, and

WHEREAS, the laborer will be primarily responsible for water department work in order to meet the training requirements for the licensing examination, but can also assist in other departments as necessary.

NOW THEREFORE BE IT RESOLVED, that the Town Board hire Justin Wallschlaeger for the position of part time laborer at a pay rate of \$10.00 per hour for 90-day probation period, effective October 15, 2013, after which time the salary will be evaluated.

Attorney Musacchio arrived at 8:20 pm.

3. Resolution to hire Victory Lifts, Inc to repair LKPCC chair lift

RESOLUTION # 226: REPAIR WHEELCHAIR LIFT AT L.K. PAINTER COMMUNITY CENTER

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

WHEREAS, a recent inspection of the Wheelchair lift at the L.K. Painter Community Center, determined deficiencies in its operation which will not allow its use, and

WHEREAS, it is necessary to provide a fully accessible entrance and egress method for disabled people to the lower level of the Center, and

WHEREAS, after further inspection of the wheelchair lift at the Town Hall it was determined that the necessary parts are not interchangeable.

NOW THEREFORE BE IT RESOLVED, that the Town Board hire Victory Lifts, Inc. to repair the Wheelchair lift at the L.K. Painter Community Center at a cost of \$1,835.00, to be paid from Budget Line A1620.410 – Shared Services Repairs.

4. Resolution to hire part-time Court Officer**RESOLUTION # 227: APPOINT PART-TIME COURT OFFICER**

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the following is

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

WHEREAS, the Town of Collins maintains a Town Court, with two elected Town Justices and an appointed Town Prosecutor, and

WHEREAS, the Town Court hears court cases which may be criminal and/or violent in nature, and

WHEREAS, the Town currently does not employ a Court Officer to maintain order if proceedings become difficult to handle, and

WHEREAS, with this in mind, the Town advertised for qualified persons interested in applying for the position of Constable, which includes the duties of the Court Officer, and interviews were held by the Justices and a member of the Personnel Committee for the two qualified applicants replying to the ad, and

WHEREAS, this interview committee unanimously agreed on one of these candidates,

NOW THEREFORE, BE IT RESOLVED that the Town Board approve the appointment of Seth Howard to the position of Constable, to serve as Court Officer, at \$12.50/hr., effective October 9, 2013.

New Business

1. Cub Scouts request to use the LKPCC gymnasium on Monday evenings - Melissa Schreiber contacted the supervisor about using the gym at the LKPCC one Monday a month at 6:30. They currently meet at the Collins Fire Hall. They have insurance and will get proof of non-profit status.

2. Resolution to appoint winter recreation staff**RESOLUTION # 228: HIRE WINTER RECREATION COUNSELORS**

Motion made by Councilman Gaylord seconded by Councilman Martin that the following is

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer

Nay 0

WHEREAS, the Town of Collins operates a Winter Recreation Program, and

WHEREAS, the Town wishes to fill the positions necessary for these programs, and

WHEREAS, the Town advertised for the positions of Youth Center Associates and Craft Coordinator, and Head Cashier, and the Parks & Recreation Advisory Committee and a member of the personnel committee interviewed each applicant responding to this ad.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins follow the recommendations of the Parks & Recreation Advisory Committee and hire the following applicants:

Head Counselor: Samantha D'Amato (at \$9.80/hr)

Head Cashier: April Hooftallen (at \$9.80/hr)

Craft Coordinator: Rebecca Russell (at \$9.80/hr)

Counselors: Rebecca McMullen, Thomas McMullen, Christian Peglowski, Kylie Troidl,
Christian Francis (at \$9.30/hr), Jessica Murszewski (at \$8.75/hr) and,

BE IT FURTHER RESOLVED, that, as there were insufficient applicants to fill all necessary positions, the Board authorize the Parks & Recreation Advisory Committee to place a classified ad in the October 12th issues of the Gowanda News and Springville Journal, for the remaining positions, with all applications to be returned no later than 4:00 p.m. on Friday October 18, 2013.

3. Discussion on Winter Recreation program fees – since the town does not put in for Erie County Recreation money anymore, there should be a registration fee. Councilman Gaylord will let Scot Williams, chairman know. Recreation starts Friday, October 25th.

With no further business, on a motion of Councilman Martin, seconded by Supervisor Tessmer the meeting was adjourned at 8:47 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 21st day of October 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney (arrived 7:12)
 Susan Gamel, Budget Officer

Others Present: John Mills, Erie County Legislator Dist #11; Margaret Degenfelder; Brandon Johnson; Wayne Harvey; Richard Agle and Samantha McDonnell, reporter Observer

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

RESOLUTION # 229: AGENDA APPROVAL

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 230: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the October 7th meeting.

ADOPTED Aye 4 Martin, Stelley, Gaylord, Tessmer
 Nay 0
 Abstained 1 Clark

RESOLUTION # 231: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #18 for 2013 dated October 21, 2013, vouchers # 671 - 713 for \$ 81,893.66:

General – Town Wide	6,292.97	Helmuth Fire Control	10,050.00
General - Part Town	3,993.37	Special Refuse	3,574.00
Highway	9,265.17	Water District #1	12,633.90
LKPCC – Renovations H12	2,791.00	Water District #3	24,033.12
Library	6,500.00	Water District #4	<u>2,736.40</u>
Special Lighting	23.73	Total	\$ 81,893.66

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

Presentation by Erie County Legislator John Mills

Mr. Mills reported there will be no tax increase in the 2014 county budget; the snow plowing contract with the county has been finalized with a 3% increase; mowing and patching are being done. The Yellow Dot Program, a project of the NYS Sheriffs' Assoc. has been started. Mr. Mills handed out some of the cards that a person would fill out with their medical information, put in the glove compartment and the yellow sticker would be put on the rear driver's side window to alert emergency responders to look for the cards.

Many of the legislators and the county executive do not want to go forward with the formation of one library district.

It is Mr. Mills' understanding that Erie County will continue with the free electronic recycling drop-off.

Old Business

1. Resolution to rank 2014 CDBG project requests

RESOLUTION #232: RANK 2014 ECCDBG PROJECT REQUESTS:

Motion made by Supervisor Tessmer, seconded by Councilman Clark to authorize David F. Tessmer, 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. Collins Town Park Playground Equipment
2. Rural Transit Van Program

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

2. Resolution to purchase Transfer Station container

RESOLUTION #233: **PURCHASE TRANSFER STATION CONTAINER**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town currently owns six containers for use at the Transfer Station, and

WHEREAS, one open-top container is in deteriorated condition and not suitable for transporting waste, and

WHEREAS, in an effort to update equipment on a reasonable interval, the Highway Department solicited three bids for a new 35-yard open-top container.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the purchase of a 22-ft long by 72-inch high open top HD container from Bucks Fabricating for \$4,868.00, to be paid from Budget Line SR8160.220 – Equipment, by making a \$4,868.00 budget transfer from Budget Line – SR8160.230 Reserve, to Budget Line SR8160.220 – Equipment.

3. Resolution to set Winter Recreation fees

RESOLUTION #234: **SET WINTER RECREATION FEES**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, In recent years the amount of state funding available for youth recreation programs has decreased, while the application process has become increasingly more time-consuming, and

WHEREAS, this funding, which is administered by Erie County Youth Services includes many stipulations that limit our ability to run the program effectively without jeopardizing the minimal allotment, and

WHEREAS, it is our desire to manage the Winter Recreation program in a manner similar to the Summer program.

THEREFORE BE IT RESOLVED, that the Town of Collins discontinue the assessment reporting and application for State funding for the Winter Recreation program and institute the following registration fee structure, based on the recommendation of the Parks and Recreation Advisory Committee, for youth participation in the program: One Child: \$10.00, Two Children: \$20.00, Three Children: \$25.00, Single Family Maximum: \$35.00, and

BE IT FURTHER RESOLVED, that this fee policy be made effective beginning with the 2013-14 Winter Recreation Program.

New Business

1. Resolution to set Public Hearing on 2013 Preliminary Budget – November 4, 2013

RESOLUTION #235: **SET PUBLIC HEARING ON 2014 PRELIMINARY BUDGET:**

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord to set a public hearing on November 4, 2013 at 7:30 pm on the 2014 Preliminary Budget.

RESOLUTION WAS WITHDRAWN

2. Resolution to accept Supervisors Report for August 2013

RESOLUTION #236: **ACCEPT AUGUST 2013 SUPERVISORS REPORTS**

Motion made by Councilman Clark and seconded by Councilman Martin to accept the Town of Collins Supervisor's Report as submitted, for the month of August 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

3. Resolution to allow Southern Tier Snow Drifters to use trail through Collins Town Park

RESOLUTION # 237: **APPROVE USE OF TRAIL THROUGH COLLINS TOWN PARK BY SOUTHERN TIER SNOW DRIFTERS**

Motion made by Supervisor Tessmer and seconded by Councilman Gaylord that the Town Board authorize the use of the designated C-4 corridor trail through the Collins Town Park by the Southern Tier Snow Drifters snowmobile club for the 2013-14 season. The trail will be "double marked" as in years past.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

4. Resolution on Town Clerk NYSDEC DECALS licensing authorization

RESOLUTION #238: **AUTHORIZING TOWN CLERK TO EXECUTE NYSDEC DECALS CONTRACT**

Motion made by Supervisor Tessmer seconded by Councilman Stelley that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town of Collins has sold conservation licenses on behalf of the NYSDEC for over five decades; and

WHEREAS, the NYSDEC (New York State Department of Environmental Conservation) DECALS system will be starting a new contract commencing on December 1, 2013 with a new vendor for services, and

WHEREAS, the NYSDEC is requiring all the towns in New York State to renew their previous contracts to enable them to continue selling conservation licenses on behalf of the DEC;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board does hereby approve the agreement between the Town of Collins Town Clerk, Becky Jo Summers, and the NYSDEC commencing on December 1, 2013 in form annexed hereto.
2. The Town Clerk is hereby authorized to execute such agreement on behalf of the Town of Collins.
3. This resolution shall take effect immediately.

5. Resolution to put past-due water bills on taxes

RESOLUTION # 239: **APPLY DELINQUENT WATER CHARGES TO THE 2014 TOWN/COUNTY TAX LEVY**

Motion made by Councilman Clark seconded by Councilman Stelley that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Department of Real Property Tax Services of the County of Erie requires that special Town Charges such as unpaid sewer/water charges (Delinquent Water Charges), omitted tax, agric penalty, and demolitions or property clean-up be approved by the Town Board, and

Whereas, the Town of Collins has \$27,530.77 of Delinquent Water charges to be applied to the 2014 Town / County Tax Levy.

NOW, THEREFORE BE IT RESOLVED that the Town Board approves these charges to be included in the 2014 Town and County Property Tax Levy.

6. Resolution on Electronics / CRT recycling at Transfer Station

RESOLUTION #240: **AUTHORIZING SUPERVISOR TO SIGN ELECTRONICS RECYCLING CONTRACT WITH RCR&R**

Motion made by Supervisor Tessmer seconded by Councilman Gaylord that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, Effective November 1, 2013, the Town's electronics recycling contractor, RCR&R, will no longer offer payment for materials collected, but will continue to collect and remove the materials at no cost, and

WHEREAS, as of the same date RCR&R will no longer accept any Cathode Ray Tube (CRT) containing electronics free of charge, and

WHEREAS, to continue offering this free service to our residents, we must enter into a new agreement with RCR&R, and determine whether the Town of Collins will continue to collect CRT-containing electronics at a disposal cost of 25 cents per pound, discontinue the collection of CRT-containing electronics, or impose a fee to collect those electronics that will cover the disposal cost.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Supervisor to sign the new contract with RCR&R to continue the electronics recycling program, and

BE IT FURTHER RESOLVED, that the Town Board institute a policy that will allow residents to recycle those electronics by purchasing a ticket from the Town Clerk for a fee that will cover the CRT collection costs; CRT televisions / monitors up to 26" diagonal measure \$10.00, and over 26" at \$25.00 and authorize the Town Clerk to purchase a supply of stickers.

Set special meeting for Wednesday

RESOLUTION #241: **SET SPECIAL MEETING OCTOBER 23, 2013 AT 8:00 PM**

Motion made by Supervisor Tessmer and seconded by Councilman Martin to set a special meeting Wednesday, October 23, 2013.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Workshop Topics

2014 Budget – went over Helmuth, salaries and insurance.

With no further business, on a motion of Supervisor Tessmer, seconded by Councilman Clark the meeting was adjourned at 10:43 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 23rd day of October 2013.

Present: David Tessmer, Supervisor
Robert Gaylord, Councilman (8:30)
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
Susan Gamel, Budget Officer

Others Present: Janet Vogtli

Supervisor Tessmer called the meeting to order at 8:00 PM with the pledge to the Flag.

RESOLUTION # 242: **AGENDA APPROVAL**

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

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Workshop Topic – 2014 Budget

Salaries – most will received a 2% increase (seasonal no raise and a few more with their step).

Councilman Martin stated over the past few years the increased balances are getting closer to where they should be. Our accountant stated we are very healthy and are getting too healthy with the fund balances. Councilman Martin proposes lowering the amount to be raised by tax in the highway department. Take some fund balance to decrease the tax rate a few cents.

We will go with Independent Health medical insurance at an 18% increase. But, Anne Cooper is looking at another company.

A public hearing will have to be held next year on the Rosenberg Fire District.

1. Resolution to accept 2014 preliminary budget

RESOLUTION # 243: **ACCEPT 2014 PRELIMINARY BUDGET:**

Motion made by Councilman Martin, seconded by Councilman Clark to accept the 2014 Preliminary Budget.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

2. Resolution to set Public Hearing on 2014 Budget

RESOLUTION # 244: **SET PUBLIC HEARING ON 2014 PRELIMINARY BUDGET:**

Motion made by Councilman Clark, seconded by Councilman Gaylord, to set a public hearing on November 4, 2013 at 7:30 pm on the 2014 Preliminary Budget

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

NOTICE IS HEREBY GIVEN, that the annual preliminary budget of the Town of Collins for the year 2014 has been completed and filed in the office of the Clerk of the Town of Collins, where it is available for inspection by any interested person during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Collins will meet and review said preliminary budget and hold a public hearing thereon at the Collins Town Hall, 14093 Mill Street, Collins, New York, Erie County, on the **4th day of November, 2013, at 7:30 P.M.** and any person may be heard in favor of or against the preliminary budget, as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town law, the proposed salaries of the following town officials are hereby specified as follows:

1. Town Councilman \$6,000.00 each per annum, or \$24,000.00
2. Supervisor \$18,000.00 per annum base amount, and an additional \$1,500.00 to supervise the Water Department, making the total \$19,500.00 per annum
3. Town Clerk \$39,119.07 per annum
4. Superintendent of Highways \$52,284.97 base amount, and an additional \$2,000.00 to supervise the Parks and Transfer Station, making the total \$54,284.97 per annum

3. Resolution to authorize Supervisor to sign snow plowing contract with Erie County

RESOLUTION #245: **AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH ERIE COUNTY FOR SNOW PLOWING:**

Motion made by Supervisor Tessmer, seconded by Councilman Gaylord that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, the previous contract with Erie County to provide snow and ice removal on County roads in the Town of Collins expired on August 31, 2013, and

WHEREAS, the Town Highway Superintendents Association of Erie County, Inc. negotiated a new agreement for the period of September 1, 2013 through August 31, 2016, setting the reimbursement rates as follows:

2013-14 Snow Season \$3,494.92 per lane mile

2014-15 Snow Season \$3,599.77 per lane mile

2015-16 Snow Season \$3,707.76 per lane mile, and

WHEREAS, the agreement includes all activities necessary to control snow and ice, together with all necessary labor, equipment, and materials.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the agreement with Erie County, and submit two copies, with certified copies of this Resolution, two signed copies of the Lane Mile Confirmation, and an Insurance certificate naming Erie County as additional insured

With no further business, on a motion of Councilman Gaylord, seconded by Councilman Stelley 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 held at the Town Hall, 14093 Mill Street, Collins, NY on the 4th day of November 2013.

Present: David Tessmer, Supervisor
 Robert Gaylord, Councilman
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 James Musacchio, Attorney (arrived 7:11)
 Susan Gamel, Budget Officer

Others Present: Wayne Harvey; Margaret Degenfelder; Richard Clark; Tom Flynn; Holly Siegle; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 246: AGENDA APPROVAL

Motion made by Councilman Clark seconded by Councilman Gaylord to approve the agenda as amended. (Add resolution to modify water 1 and 3 budget)

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 247: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the October 21st and 23rd meetings.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 Nay 0

RESOLUTION # 248: ABSTRACT APPROVAL

Motion made by Councilman Gaylord seconded by Councilman Stelley that the bills be paid on abstract #19 for 2013 dated November 7, 2013, vouchers # 714 - 737 for \$ 30,201.63:

General – Town Wide	19,439.92	Water District #1	67.09
General - Part Town	6,756.98	Water District #3	9.13
Highway	1,097.98	Water District #4	0.79
Special Lighting	1,067.63	Total	\$ 30,201.63
Special Refuse	1,762.11		

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
 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 shall be held to consider the requests and recommendations of the county agricultural and farmland protection board. The hearing is scheduled for 6pm on Thursday, December 12, 2013 at Erie County Cornell Cooperative Extension Office, 21 South Grove Street, East Aurora, NY 14052.

CONTACT: Rachel Chrostowski, Planner, Erie County Environment & Planning, 95 Franklin Street, 10th Floor, Buffalo, NY 14202, Phone: (716) 858-8002, Fax: (716) 858-7248, Email: agriculture@erie.gov

Reports

Attorney Musacchio received a note from Councilman Martin to scan Town of Bethlehem's subdivision code.

Code Enforcement Officers handed out their monthly report.

Highway Department is working along roadsides and getting all ready for winter. The parks mower has been received and the swings and trash cans have been put away. On trash day five load of trash were collected and the cylinder on the compactor is working good.

Parks – Councilman Gaylord attended the Parks and Recreation Advisory meeting, spoke with highway superintendent regarding infield grading and preparation work. The committee would like to see the parking along the street continued, a drinking fountain at the back of the LKP, asks about wifi in the building. They inquired of the Lion's food and toy program and would like sufficient notice of it. Councilman Gaylord passed this on to the Lion's Club.

Town Clerk reported sales of \$7,029.00 in October with the town's portion \$5,457.45.

Water department reports the lagoon will be cleaned on Wednesday.

Board Reports

Councilman Martin attended the water and building committee meetings, met with the supervisor regarding updating the town code book and is trying to set up a meeting with the North Collins supervisor on the Helmuth budget.

Councilman Stelley reviewed the vouchers, spoke with Matt Wurst on water forms and the website, received an email request for a death certificate and updated the website.

Councilman Gaylord attended the recreation meeting, budget meetings and reviewed the vouchers.

Councilman Clark attended the recreation meeting, did the resolution to hire the employees and attended the budget meetings.

Supervisor Tessmer worked on the budget and thanked Sue Gamel for all her hard work on the budget. Mr. Tessmer submitted the CDBG application and the Erie County Snowplowing contract, met with Councilman Martin regarding the code book analysis, attended the water meeting and had the transfer station attendants count the number of vehicles on the last trash day.

Old Business

1. Resolution to appoint winter recreation counselor

RESOLUTION #249: **HIRE WINTER RECREATION COUNSELOR**

Motion made by Councilman Gaylord, seconded by Councilman Clark that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

WHEREAS, the Town of Collins operates a Winter Recreation Program, and

WHEREAS, the Town wishes to fill the positions necessary for these programs, and

WHEREAS, the Town advertised for the position of Youth Center Associate and the Parks & Recreation Advisory Board interviewed the applicant responding to this ad,

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins follow the recommendation of the Parks & Recreation Advisory Board and hire Holly Siegle as Counselor, effective immediately, at a rate of \$8.75/hr.

SCHEDULED PUBLIC HEARING – 7:30 PM ON PROPOSED 2014 TOWN BUDGET

RESOLUTION # 250: **MOVE TO SCHEDULED PUBLIC HEARING ON 2014 PRELIMINARY TOWN BUDGET**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to interrupt Board meeting to conduct a Public Hearing on the Town of Collins 2014 Preliminary Budget as advertised and scheduled for this evening at 7:30 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer

Nay 0

Notice of public hearing was ready by Supervisor Tessmer.
Supervisor Tessmer explained changes from last year's budget.
Comments were asked for from the public.
After all wishing to be heard, the hearing was closed.

RESOLUTION # 251: MOVE TO CLOSE PUBLIC HEARING ON 2014 PRELIMINARY TOWN BUDGET

Motion made by Councilman Gaylord and seconded by Councilman Clark to close the Public Hearing on 2013 Preliminary Town Budget at 8:11 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION #252: ADOPT 2014 PRELIMINARY TOWN BUDGET

Motion made by Councilman Clark and seconded by Councilman Stelley to adopt 2014 Town Budget.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

Old Business (cont'd)

2. Resolution to modify transfer station bid pricing

RESOLUTION # 253: REVISE TRANSFER STATION CONTAINER BID AMOUNT

Motion made by Supervisor Tessmer, seconded by Councilman Stelley that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, the Town Board authorized the purchase of a 22-ft long by 72-inch high open top HD container from Bucks Fabricating for \$4,868.00, to be paid from Budget Line SR8160.220 – Equipment, by making a \$4,868.00 budget transfer from Budget Line – SR8160.230 Reserve, to Budget Line SR8160.220 – Equipment, and

WHEREAS, two of the bids received by the Highway Superintendent did not include delivery charges, and

WHEREAS, the Highway Superintendent has contacted all the vendors and requested shipping charges for their initial bids.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board adjust the purchase price for the open top HD container from Bucks Fabricating to include \$450.00 for shipping, for a total price of \$5,318.00, and modify the budget transfer from Budget Line SR8160.230 Reserve, to Budget Line SR8160.220 – Equipment from \$4,868.00 to \$5,318.00.

3. Resolution to declare transfer station bin as scrap

RESOLUTION # 254: DECLARE TRANSFER STATION CONTAINER AS SCRAP

Motion made by Supervisor Tessmer and seconded by Councilman Gaylord to declare the transfer station open top container that has been cited as unacceptable for over-the-road waste hauling, as scrap and allow the Highway Superintendent to take it for recycling.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

New Business

1. Discussion on Collins Park shelter contractor

2. Set public hearing on kennel special use permits

RESOLUTION # 255: SET PUBLIC HEARING ON 2014 KENNEL SPECIAL-USE PERMITS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to set a Public Hearing on 2014 Dog Kennel special-use permits for December 16, 2013 at 7:30 PM.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing under Section 30.65 Kennels of the Town of Collins Municipal Code on the year 2014 Dog Kennel Special Use Permit applications for the following:

Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141
Karen Fedick, 13688 Brewer Road, Collins, NY 14034
Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141
Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034
Christopher and Mindy Purdy, 12796 Ketchum Road, Lawtons, NY 14091
Renee and James Bauer-Martin, 3960 Brown Street, Collins, NY 14034

A Public Hearing will be held on **Monday, December 16, 2013 at 7:30 p.m.** at the Town Hall, 14093 Mill Street, Collins, New York. The Town Board may, under Section 30.65 Kennel of the Town of Collins Municipal Code, impose conditions and restrictions upon said Dog Kennel Special Use Permit.

RESOLUTION # 256: DIRECT PAY STEEL VENDOR FOR COLLINS PARK SHELTER

Motion made by Councilman Clark and seconded by Supervisor Tessmer to amend the contract with Wiedeman & Sons Construction to include a direct payment to the steel vendor upon receipt of invoice from same showing cost of steel, deduct invoice amount from project cost, and modify remaining payment schedule with Wiedeman & Sons Construction accordingly.

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

RESOLUTION # 257: WATER DISTRICT 1 AND WATER DISTRICT 3 BUDGET MODIFICATIONS

Motion made by Councilman Gaylord, seconded by Councilman Clark that the following is:

ADOPTED Aye 5 Martin, Stelley, Gaylord, Clark, Tessmer
Nay 0

WHEREAS, In order to correct deficiencies in the Water District No. 1 Chlorine injection system, Water Department personnel have designed and begun construction on a new pump and tank setup, and have also requested the purchase of a pressure washer to help maintain the facilities, and

WHEREAS, in order to complete the construction and installation of the new system, and purchase the pressure washer, budget modifications must be made.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board make the following budget modification to allow for the completion of the chlorine system upgrade: WD1 Revenue: increase line SW1-2142.110-Sale of Water by \$2,150.00, and WD1 Expenditure: increase line SW1-8320.431-Purchase of Supplies by \$2,150.00, and

BE IT FURTHER RESOLVED, that the Collins Town Board make the following budget modification to allow for the purchase of a pressure washer for the Water Department: WD1 Revenue: increase line SW1-2142.110 Sale of Water by \$307.23, and WD1 Expenditure: increase line SW1-8320.431 Purchase of Supplies by \$307.23, and WD3 Revenue: increase line SW5-2142.510-Sale of Water by \$91.77, and WD3 Expenditure: increase line SW5-8320.435-Purchase of Supplies by \$91.77.

With no further business, on a motion of Councilman Clark, seconded by Councilman Stelley the meeting was adjourned at 8:42 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 November 2013.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney

Others Present: Janet Vogtli; Dick Clark; Dick Agle; Margaret Degenfelder; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 258: AGENDA APPROVAL

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

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

RESOLUTION # 259: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the November 4th meeting.

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

RESOLUTION # 260: ABSTRACT APPROVAL

Motion made by Councilman Clark seconded by Councilman Stelley that the bills be paid on abstract #20 for 2013 dated November 18, 2013, vouchers # 738 - 753 for \$ 9,570.85:

General – Town Wide	3,005.83	Special Refuse	86.63
General - Part Town	3,076.95	Water District #1	1,156.91
Highway	38.32	Water District #3	162.29
LKPCC – Renovation	2,020.00	Water District #4	0.19
Special Lighting	23.73	Total	\$ 9,570.85

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

**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 shall be held to consider the requests and recommendations of the county agricultural and farmland protection board. The hearing is scheduled for 6pm on Thursday, December 12, 2013 at Erie County Cornell Cooperative Extension Office, 21 South Grove Street, East Aurora, NY 14052.

CONTACT: Rachel Chrostowski, Planner, Erie County Environment & Planning, 95 Franklin Street, 10th Floor, Buffalo, NY 14202, Phone: (716) 858-8002, Fax: (716) 858-7248, Email: agriculture@erie.gov

Old Business - none

New Business

1. Resolution to appoint Councilman to fill vacancy

RESOLUTION # 261: **RESOLUTION: APPOINT COUNCILMAN TO FILL VACANCY**

Motion made by Councilman Gaylord and seconded by Councilman Clark to approve the following resolution.

DEFEATED	Aye	2	Clark, Tessmer
	Nay	2	Martin, Stelley

WHEREAS, there currently exists a vacancy on the Collins Town Board, due to the resignation of Robert Gaylord, and

WHEREAS, Janet Vogtli won the November 2013 election for one of the Councilman positions, and

WHEREAS, in an effort to fill the vacancy in a timely manner, and to facilitate the efficiency of the Collins Town Board, it is prudent to appoint the councilman-elect for the position for the remainder of former Councilman Gaylord's term.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board appoint Janet Vogtli Councilman, effective November 19, 2013, for the remainder of 2013, and until she is officially sworn in to her elected term.

Workshop Topic

Town Codes – Zoning and transfer station updates

Transfer station updates – new definitions have to be added (CRT's and Ewaste) and Councilman Martin will check on them and update to proposed code for the next meeting. Supervisor Tessmer is working on a registration application for private haulers.

Zoning - In regards to burning Attorney Musacchio said to follow the state burning law. Code Enforcement Gene Degman said they cannot enforce that law. They can only enforce local laws and the NYS building law. If there is an issue with the burning, the DEC would be the ones called. Mr. Degman suggests keeping our own burning law so they can enforce locally.

Councilman Martin feels the General Code analysis deadline can still be met by the town.

The Subdivision Regulations were never adopted by the Planning Board or the town. General Code included a copy of the Town of Bethlehem's Subdivision Regulations which is close to the state's regulations. Everything is spelled out and covered in detail. After changes have been made to the regulations the Planning Board would adopt them and the town board would approve them. A color has to be picked for the binders. Discussion also covered zoning and how the Code Enforcement Officers determine the location of any changes.

With no further business, on a motion of Councilman Clark, seconded by Councilman Martin the meeting was adjourned at 8:51 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 1ST Day of December 2013.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman

Becky Jo Summers, Town Clerk
Susan Gamel, Budget Officer
James Musacchio, Attorney

Others Present: Janet Vogtli; Dick Agle; Margaret Degenfelder; Wayne Harvey and Samantha McDonnell, reporter Observer

Supervisor Tessmer called the meeting to order at 7:03 PM with the pledge to the Flag.

RESOLUTION # 262: AGENDA APPROVAL

Motion made by Councilman Stelley seconded by Councilman Clark to approve the agenda as amended.

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

RESOLUTION # 263: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the November 18th meeting.

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

RESOLUTION # 264: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Clark that the bills be paid on abstract #21 for 2013 dated December 2, 2013, vouchers # 754 - 768 for \$ 99,846.69:

General – Town Wide	49,379.05	Water District #1	6,461.80
General - Part Town	4,186.89	Water District #3	1,970.17
Highway	36,337.21	Water District #4	171.32
Special Refuse	1,340.25	Total	\$ 99,846.69

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

Reports

Attorney Musacchio is working on the zoning statute.

Code Enforcement Officer Siegle inspected the premises for renewal of the kennel permits.

Highway department reported 14 ½" of snow fell in November and they are cleaning the shop and painting. Three open-top containers were used for the last trash day. There was a water problem at Joel Moritz's and it was taken care of.

Parks and Recreation minutes were read by Councilman Stelley.

The Planning Board has changed their meeting time from 7:30 pm to 7:00 pm.

Town Clerk reported sales of \$4,365.75 in November with the town's portion \$3,274.30.

Water department report was not done for the meeting. The Collins Center lagoon is in the process of being cleaned; 850 to 950,000 gallons of water have been pumped to the state and one barrel of chlorine was borrowed from them that will be returned. Justin Wallschlaeger is working out good but cannot get a constant schedule due to his other job.

Board Reports

Councilman Martin attended the Helmuth Advisory meeting.

Councilman Stelley reviewed the vouchers and updated the website.

Councilman Clark reviewed the vouchers and met with the highway superintendent.

Supervisor Tessmer met with the CDBG site selection committee; attended the Gowanda

Board of Education meeting, the Assoc of Erie County Governments meeting; received a copy of the 2013-2016 EC Snow Removal Contract. Met with Doug Martindale on upgrading the light bulbs in the LKPCC gym and is continuing the vehicle count at trash days.

Old Business

1. LKPCC project schedule update

New Business

1. Resolution to accept Supervisors reports for September and October 2013

RESOLUTION # 265: **ACCEPT SEPTEMBER AND OCTOBER 2013 SUPERVISORS REPORTS**

Motion made by Councilman Clark and seconded by Councilman Martin to accept the Town of Collins Supervisor's Report as submitted, for the months of September and October 2013.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 0

2. Lions Club use of LKPCC for annual toy distribution

RESOLUTION # 266: **AUTHORIZE THE USE OF THE L. K. PAINTER CENTER BY GOWANDA LIONS CLUB**

Motion made by Supervisor Tessmer seconded by Councilman Clark to authorize the use of the L. K. Painter Community Center by the Gowanda Lions Club on the following dates:

Friday, December 20, 2013 to allow the Seniors program to wrap gifts in the gymnasium, and the Lions Club to sort and store gifts and packages in the Community Room, and

Saturday, December 21, 2013 to allow the Lions Club to prepare gifts and packages for delivery in the Community Room and rear hallway until approximately noon.

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 0

3. Discussion on 2014 Liaisons, Committees and Rules of Procedure - Supervisor Tessmer asked the board to go through the hand-outs and give him a list by the next board meeting of what committee and liaison each is interested and if there is anything to be changed or added in the Rules of Procedure.

4. Resolution to bring portion of LKPCC electrical system up to code requirements

RESOLUTION # 267: **APPROVE CHANGE ORDER NO. 1E FOR LKPCC ELECTRICAL PROJECT**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following is

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 0

Whereas, during the construction phase of the electrical upgrades to the LK Painter Center, the contractor identified a portion of the electrical system (installed by others) that did not meet NYS Building Code requirements, and

Whereas, the condition of the Romex Lighting Feeders was determined to be unsafe and could cause harm, and

Whereas, it was necessary to replace this feeder to complete the exterior lighting portion of the project, and

Whereas, the Engineer recommended that the replacement be made and a change order be authorized.

Now Therefore Be It Resolved, that the Collins Town Board approve Change Order Number 1E for the Emergency Power Distribution Contract by Goodwin Electric Corporation in the amount of \$1,534.90 and authorize the Supervisor to sign same.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Clark 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 held at the Town Hall, 14093 Mill Street, Collins, NY on the 16th day of December 2013.

Present: Mary Stelley, Councilman Becky Jo Summers, Town Clerk
Mary Clark, Councilman Susan Gamel, Budget Officer
Kenneth Martin, Councilman James Musacchio, Attorney

Absent: David Tessmer, Supervisor

Others Present: Janet Vogtli; Mike Hutchinson; Heather McKeever; Dick Clark; Dick Agle; Nicholas Hodak; Phil Palen; Richard Westland reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

Deputy Supervisor Clark called the meeting to order at 7:02 PM with the pledge to the Flag.

RESOLUTION # 268: AGENDA APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin to approve the agenda as amended.

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

RESOLUTION # 269: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the December 2nd meeting.

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

RESOLUTION # 270: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #22 for 2013 dated December 16, 2013, vouchers # 769 – 849 for \$ 81,239.00:

General – Town Wide	15,461.31	Special Refuse	3,521.62
General - Part Town	824.75	Water District #1	3,614.89
Highway	24,718.14	Water District #3	2,047.38
LKPCC H-12	29,938.48	Water District #4	1.39
Special Lighting	1,111.04	Total	\$ 81,239.00

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

Presentation: Mike Hutchinson on Safe Route to School Grant

The Village of Gowanda was awarded a \$650,000.00 grant by the NYS Department of Transportation to encourage elementary and middle school children to safely walk and bike to school. Many of these improvements are in the Town of Collins and they are looking for a letter of support from the Town.

Public Hearing 7:30 PM – 2014 Dog Kennel Special-Use Permits

RESOLUTION #271: MOVE TO SCHEDULED PUBLIC HEARING ON 2014 KENNEL SPECIAL-USE PERMITS

Motion made by Councilman Stelley and seconded by Councilman Martin to interrupt Board meeting to conduct a Public Hearing on 2014 Dog Kennel special-use permits as advertised and scheduled for this evening at 7:30 PM.

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

Councilman Clark read the notice of public hearing then asked for any comments. After no comments the public hearing was closed.

RESOLUTION #272: **MOVE TO CLOSE PUBLIC HEARING ON 2014 KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Martin and seconded by Councilman Clark to close the Public Hearing on 2014 Kennel special-use permits at 7:41 PM.

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

RESOLUTION #273: **APPROVE DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Martin and seconded by Councilman Clark to approve the 2014 Dog Kennel Special-Use permits for the following applicants:

Debra Cappella (Lugland Kennel), 5304 Route 39, Springville, NY 14141
Karen Fedick, 13688 Brewer Road, Collins, NY 14034
Sandy Maloney, 14600 Collins Center Zoar Road, Collins, NY 14034
Linda M. Bowdish and Sarah A. Bowdish, 5076 Woodside Road, Springville, NY 14141
Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

New Business

1. Resolution on Change Order No. 1M for Highland Masonry for lintel replacements

RESOLUTION #274: **APPROVE CHANGE ORDER NO. 1M FOR LKPCC MASONRY RESTORATION PROJECT**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following is:

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

WHEREAS, during the construction phase of the masonry rehabilitation project at the L.K. Painter Center, the contractor identified substantially deteriorated window lintels, and

WHEREAS, the condition of the lintels would jeopardize the masonry repairs being made, and

WHEREAS, it was necessary to replace these lintels to complete the masonry rehabilitation portion of the project, and

WHEREAS, the Engineer recommended that the replacements be made and a change order be authorized.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board approve Change Order Number 1M for the Masonry Rehabilitation Contract by Highland Masonry Restoration, Inc. in the amount of \$5,400.00, and authorize the Supervisor to sign same.

2. Resolution on Change order No. 1W for New Cal Construction to extend completion date

RESOLUTION #275: **APPROVE CHANGE ORDER NO. 1W FOR LKPCC WINDOW REPLACEMENT PROJECT**

Motion made by Councilman Clark seconded by Councilman Stelley that the following is:

ADOPTED Aye 3 Martin, Stelley, Clark
 Nay 0

WHEREAS, New Cal Construction, Inc., has requested an extension of the contract time to complete the window and front entrance replacement at the L.K. Painter Community Center, and

WHEREAS, the contractor has requested a 45 day extension for substantial completion, and 60 days for final completion, and

WHEREAS, the Engineer recommended that the extension be granted and a change order be authorized.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board approve Change Order Number

1W for the Window Replacement Contract by New Cal Construction Inc. for a 45 day extension for substantial completion (February 3, 2014) and 60 day extension for final completion (February 18, 2014), and authorize the Supervisor to sign same.

ADOPTED Aye 4 Martin, Stelley, Clark
Nay 0

3. Resolution authorizing Supervisor to sign engagement letter with Freed Maxick

RESOLUTION #276: **AUTHORIZE SUPERVISOR TO SIGN ENGAGEMENT LETTER WITH FREED MAXICK**

Motion made by Councilman Stelley and seconded by Councilman Martin to authorize Supervisor to sign engagement letter with Freed Maxick to complete 2013 Audit of Financial Statements including the Town Clerk and Justice Court, and prepare the Annual Financial Report Update Document (AUD), for a cost of \$12,300.00, plus direct expenses.

ADOPTED Aye 3 Martin, Stelley, Clark
Nay 0

4. Resolution to make 2013 Budget Modifications and Transfers

RESOLUTION #277: **APPROVE BUDGET MODIFICATIONS AND TRANSFERS**

Motion made by Councilman Martin and seconded by Councilman Stelley to approve the following 2013 Budget Modifications and Transfers:

Budget Modifications: (To Correct Entry Errors)

Credit Line	A1410.420 Town Clerk Special Audit	\$1,500.00	Correct Voucher line entry error
Debit Line	A1410.410 Town Clerk Audit	\$1,500.00	
Decrease	A1620.401 Shared Service – Accounting	\$400.00	Correct Budget entry error
Increase	A1410.410 Town Clerk Audit	\$400.00	
Credit Line	A1340.100 Budget Officer Personal Svc	\$1,000.00	Correct Budget entry error to Salary Schedule/ Annual Resolutions
Debit Line	A1320.400 Finance - Independent Audit	\$1,000.00	
Increase Line	DB3501 Consolidated Highway Aid	\$14,806.12	Recognize additional CHIPS Money for 2013
Increase Line	DB5112.200 Hwy Part Town CHIPS	\$14,806.12	

Budget Transfers:

Increase Line	A5132.460 Highway Supplies	\$245.59	
Decrease Line	A5132.440 Highway Telephone	\$245.59	
Increase Line	B7110.400 Parks Contractual	\$2,059.57	Parks Benches and Park Fence \$2130.00 & \$2350.00
Decrease Line	B7110.220 Parks Improvement	\$2,059.57	
Increase Line	DB5110.402 Hwy Part Town Contractual	\$1,455.25	
Decrease Line	DB5110.400 - Hwy Part Town Contractual	\$1,455.25	
Decrease Line	DB5110.100 Hwy Part Town Personal Svc	\$4,456.81	
Increase Line	DB5142.402 Snow Contractual - Gas	\$72.29	
"	DB5142.403 Snow Contractual - Salt	\$4,384.52	
Increase Line	DB5148.403 Snow Contractual – Salt	\$10,146.10	
Decrease Line	DB5148.400 Snow Contractual	\$ 10,146.10	

Decrease Line	DB5110.400 Hwy Part Town Contractual	\$16,770.50
Increase Line	DB5142.403 Snow Contractual – Salt	\$5,198.86
"	DB5148.403 County Contractual - Salt	\$11,571.64
ADOPTED	Aye 3 Martin, Stelley, Clark	
	Nay 0	

Deputy Supervisor went through the highlights of projects that were done in 2013.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Martin the meeting was adjourned at 8:07 pm.

Becky Jo Summers, Town Clerk