

An Organizational Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 13th day of January 2014.

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

Others Present: Dennis Jensen Highway Superintendent; Gene Degman Code Enforcement Officer; Mae Horth; John Gibbs; Richard Clark; Elliott Tessmer, Dick Agle; Karen Ricatta 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.

The 2013 Organizational Resolutions were gone through.

Resolution # 1 – 61: **2014 ORGANIZATIONAL RESOLUTIONS**

Motion made by Councilman Clark seconded by Councilman Stelley to adopt the following Organizational Resolutions for 2014 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 50 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 \$18,000.00 annually plus an additional amount of \$1,500.00 to oversee the water department; totaling \$19,500.00.
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 \$11,480.10 annually.
21. Setting the salary of the full-time Town Budget Officer/Bookkeeper at \$19.86 per hour.
22. Setting the salary of Gene Degman; Code Enforcement Officer at \$8,114.10 annually, and Charles Siegle; Assistant Code Enforcement Officer at \$5,574.30 annually.
23. Setting the salary of the elected Town Clerk at \$39,119.07 annually.
24. Setting the salary of the appointed Deputy Town Clerk at \$11.68 per hour.
25. Setting the salary of Mary Dankert, Dog Control Officer at \$4,477.80 annually.
26. Appointing Dennis Jensen, Highway Superintendent to supervise the transfer station and the parks 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 \$52,284.97 annually, plus an additional amount of \$2,000.00 for overseeing the transfer station and the parks department; totaling \$54,284.97.
28. Setting the salary of the experienced Highway Department workers (Motor Equipment Operators) as follows: Peter Waterman at \$22.00 per hour; Nicholas Gernatt at \$21.73 per hour and Mark Hobson at \$21.48 per hour.
29. Setting the salary of the Highway Department Automotive Mechanic at \$23.34 per hour until November 5, 2014 anniversary of step increase (which will reach job-rate) to \$ 23.95 per hour.
30. That the appointed Deputy Highway Superintendent serves at an additional \$1,000.00 annually.
31. Authorizing all permanent full-time employees of the Highway and Water Departments to be given up to a maximum of \$ 150.00 for safety apparel allowance.
32. That the Highway Department Laborers be paid \$12.00 per hour (if not experienced, \$9.00 per hour for the first six months).
33. Setting the salary of Irvine Gaffney, Town Historian at \$200.00 annually
34. Setting the salary of the two (2) elected Town Justices at \$14,500.00 each annually.
35. Setting the salary of the two (2) Court Clerks at \$9,450.00 each annually.
36. Appointing Linda Spencer, Becky Jo Summers and Barbara Ferro as members of the Collins Library Board of Trustees to a five year term to expire December 31, 2018.

37. Appointing Scott Martindale as Caretaker at \$10.20 per hour
38. Appointing Doug Martindale as Laborer (Buildings & Grounds) at \$10,200.00 annually
39. Setting the salary of the members of the Town of Collins Parks & Recreation Committee at \$405.00 each annually. The chairman is to receive \$200.00 and the secretary is to receive \$100.00 additional per year.
40. Setting the salary of the Town of Collins Planning Board Members at \$785.00 each annually and appointing Thomas Siegel to a five-year term to expire December 31, 2018.
41. Setting the salary of the Chairman of the Planning Board at an additional \$600.00 annually.
42. Setting the salary of the Secretary of the Planning Board at \$25.00 per meeting.
43. Appointing James Musacchio as Town Prosecutor at \$5,000.00 annually.
44. Appointing Jeanne Ebersole as Town Assessor at \$18,360.00 annually.
45. Setting the salary of the Registrar of Vital Statistics at \$400.00 annually.
46. Appointing the Deputy Town Clerk as Deputy Registrar of Vital Statistics at no salary.
47. Setting the salary of Joan Byrne, Seniors Program Coordinator at \$11.93 per hour.
48. Setting the salary of Patricia Tucker, Seniors Program Assistant at \$9.49 per hour.
49. Setting the salary of Jeff Johnson, Summer Recreation Program Coordinator at \$2,677.50 annually.
50. 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.
51. Setting the salary of the two (2) Summer Recreation program Head Counselors and the Craft Coordinator at \$9.80 per hour.
52. Setting the salary of Tammy Utley, Kenneth Tyger, Mark Mangano, Donald Johnson and Joshua Porter (as needed/fill-in) as Transfer Station Attendants at \$10.05 per hour.
53. Setting the salary of Matthew Wurst, Water Maintenance Worker for all water districts at \$21.54 per hour until August 5, 2014 anniversary of step increase to \$22.12 per hour.
54. Setting the salary of Jeffrey Johnson, Youth Service Director at a salary of \$7,644.90 annually.
55. Setting the salary of the members of the Zoning Board of Appeals at \$115.00 each annually, and appointing Christine Timmel to a five-year term to expire December 31, 2018.
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 2014 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 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

Departmental Appointments for 2014

Supervisor Tessmer appointed Irvine Gaffney as Town Historian, Douglas Martindale as Assistant 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.

Planning Board Chairman appointed Debra Martin as Planning Board Secretary.

Justice Cain appointed Karen Smith and Peggy Tessmer as Court Clerks.

RESOLUTION # 62: AGENDA APPROVAL

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

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

RESOLUTION # 63: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the Monday, December 16th town board meeting.

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

RESOLUTION # 64: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #23 for 2013 dated January 6, 2014 for listed vouchers # 850 - 886 for \$ 140,601.45 and abstract #1 for 2014 dated January 6, 2014, vouchers # 1 – 9 for \$ 100,885.76.

Abstract # 23 - 2013

General – Town Wide	8,285.68	Special Refuse	5,356.51
General - Part Town	393.61	Water District #1	68.67
Highway	20,751.95	Water District #3	9.25
LKPCC - Renovations	102,055.05	Water District #4	<u>2,380.00</u>
Special Lighting #1	1,300.73	Total	\$ 140,601.45

Abstract # 1 - 2014

General – Town Wide	44,899.20	Water District #1	4,176.49
General - Part Town	3,327.69	Water District #3	1,280.78
Highway	44,113.84	Water District #4	<u>111.37</u>
Special Refuse	2,976.39	Total	\$ 100,885.76

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

Public Access

John Gibbs in not in support of the Gowanda walkway to school.

Department Reports

Code Enforcement submitted their annual report.

Highway Superintendent Jensen reported Mercy Flight landed at the highway barns for an incident in Gowanda and asks in the future the town could clear snow in the Ames lot for them to land. All were in agreement. The 2004 Mack's transmission was replaced; our backhoe was used in Gowanda during the flood. Mr. Jensen is looking into a reversible plow to put on the Sterling.

Last trash day had two boxes and car counts are still being done.

Parks and Recreation Advisory Committee at their last meeting had questions on the windows; some are done and some are not. Wm. Schutt will sign off only when the job is complete.

Town Clerk Summers reported income of \$ 4,350.25, with the town receiving \$4,191.30.

Water committee report has not been done but the Supervisor and Matt Wurst met today. Matt wants his cell phone to be for emergency calls only. Justin Wallschlaeger is working two and part of another one and they are switching weekends.

Board Reports

Councilman Vogtli in regards to the liberty fest, the recreation would like to know if the park shelter will be completed for it. Supervisor Tessmer received a phone call from the contractor and they will work this week.

Councilwoman Martin reported no Helmuth Advisory meeting this month and he attended the Prison Advisory meeting and reviewed the vouchers.

Councilman Stelley updated the website and reviewed the vouchers.

Councilman Clark met with the highway superintendent and the supervisor.

Supervisor Tessmer is working on name badges and will be working with the town's disaster coordinator.

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	David Tessmer
Rural Transit	Janet Vogtli
Prison Advisory	Mary Stelley
Seniors	David Tessmer
Parks & Recreation	Janet Vogtli
Southtowns Planning & Development	David Tessmer
Water	Mary Clark

Committees:

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

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

3. Industrial Appraisal proposal received to redo and then update – we were updating yearly up until 2009. Supervisor Tessmer will call and find out if they can just do the update.

New Business

1. Resolution to authorize Supervisor and Town Clerk to sign Highway Shared Services Agreement

RESOLUTION # 65: **AUTHORIZE SIGNING OF HIGHWAY SHARED SERVICES AGREEMENT**

Motion made by Councilman Clark seconded by Councilman Vogtli to authorize the Supervisor and Town Clerk to sign the newly adopted Highway Shared Services Agreement.

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

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

RESOLUTION # 66: **APPROVE AGREEMENT TO SPEND HIGHWAY FUNDS**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Town Board hereby approves entering into agreement with Dennis Jensen, Highway Superintendent for the 2014 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 Vogtli, Martin, Stelley, Clark, Tessmer
Nay 0

3. Resolution needed to accept the November 2013 Supervisors report

RESOLUTION # 67: **ACCEPT NOVEMBER 2013 SUPERVISORS REPORT**

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

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

4. Resolution to designate new insurance provider

RESOLUTION # 68: **DESIGNATE HEALTH INSURANCE PROVIDER**

Motion made by Supervisor Tessmer seconded by Councilman Clark to designate Magna Care's Health Republic as the Town's Health Insurance provider.

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

New Topics – Discussion and Comments

1. Court Justice vacancy update – Justice Cain said he will fill in until someone is brought on. The town can appoint but they cannot sit on the bench until they have had the training in April. There will have to be a special election in November. If we need help the 8th Judicial Court Administration can appoint a judge.

2. Gowanda NYSDOT grant discussion on the safe walk to school – Supervisor Tessmer said there is no compelling reason to act on this as we do not have enough information. The grant was awarded a year ago and we were not asked to support/help at that time.

3. Dog Control Officer duties and salary – The DCO asked for a raise to do the dogs in Gowanda which would give her \$5,000.00 and was given 2%. When Gowanda gave up the position we were told it would not make a lot of difference. She did all animals for Gowanda and now she does just dogs for Collins. (The Town of Persia gave her an additional \$1,000.00 to do the Gowanda dogs.) Supervisor Tessmer will ask her to come to the next meeting.

Next meeting: 2014 Town Board Objectives and Goals

With no further business, on a motion of Councilman Clark, seconded by Councilman Vogtli the meeting was adjourned in memory of Honorable Justice Norman Peters at 9:22 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 21st day of January 2014.

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

Absent: Mary Clark, Councilman

Others Present: Doug Martindale; Brian Gernatt; Mary Dankert DCO; Brian Martin Chairman Planning Board; and Samantha McDonnell, reporter Observer

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

RESOLUTION # 69: AGENDA APPROVAL

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

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

RESOLUTION # 70: MINUTES APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Martin to approve the minutes of the Monday, January 13th town board meeting.

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

RESOLUTION # 71: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #24 for 2013 dated January 21, 2014, vouchers # 887 - 901 for \$ 18,080.22 and abstract #2 for 2014 dated January 21, 2014, vouchers # 10 – 26 for \$ 13,639.34.

Abstract # 24 - 2013

General – Town Wide	3,788.24	Special Refuse	1,248.61
General - Part Town	306.87	Water District #1	239.04
Highway	9,225.60	Water District #3	<u>275.44</u>
LKPCC - Renovations	2,996.42	Total	\$ 18,080.22

Abstract # 2 - 2014

General – Town Wide	11,093.32	LKPCC – Renovations	<u>1,185.42</u>
General - Part Town	400.60	Total	\$ 13,639.34
Highway	150.00		

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

Old Business

Resolution to advertise for court justice

RESOLUTION # 72: ADVERTISE FOR COURT JUSTICE

Motion made by Supervisor Tessmer seconded by Councilman Vogtli to place the following advertisement in the Gowanda News and Springville Journal the weeks of January 25th and February 1st, 2014 for the purpose of identifying candidates for the vacant Town Justice position:

Wanted Town Court Justice
Town of Collins

To fill a vacancy for the remainder of 2014, Must attend mandatory training school in April 2014

There will be a special election in November 2014, to fill a four-year term for this position

Applications available at the Town Clerk's office, Must be received by February 14, 2014 by 4:00

PM, Applicants *must be Town of Collins residents*
ADOPTED Aye 4 Vogtli, Martin, Stelley, Tessmer
Nay 0

Resolution to authorize Supervisor to sign appraisal agreement

RESOLUTION # 73: **AUTHORIZE SUPERVISOR SIGN AGREEMENT WITH INDUSTRIAL APPRAISAL**

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

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

WHEREAS, the last time an on-site appraisal of the Town's fixed assets was completed was in 2005, and

WHEREAS, the industry standard recommends completing an on-site appraisal every 5-7 years to protect the Town against any under-valued loss, and

WHEREAS, the Town has completed more than \$750,000 of improvements and upgrades since 2005, and

WHEREAS, the Town's insurance agency and accounting firm have both recommended that an updated on-site appraisal be completed.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the agreement with Industrial Appraisal Company to complete an on-site inspection and appraisal of the Town's buildings/structures, site improvements, fixed equipment, machinery and movable equipment for a fee of \$5,250.00 to be paid from Budget Line A1989.000 Unclassified – Fixed Assets.

Dog control officer duties and salary – Supervisor Tessmer was mis-informed on what he thought was correct regarding the Village of Gowanda and the position that Mary Dankert held as Animal and Dog Control with them. Mrs. Dankert explained her position and what happened. A dog census would take all summer to complete and she could do it in 2015 with the help of her granddaughter as she will be doing three censuses this summer.

Update on Town codes – Councilman Martin went through what has been gone over and that he is finishing up the Subdivision Regulation received from General Code. Discussion covered who has the authority to approve and who adopts the regulation, working on the zoning map, fees, resources of who would do the work and enforcement of the section. The board wants this to go back to the Planning Board for more work. Attorney Musacchio will contact General Code with some questions and see if they will look at the section after it has been completed.

New Business

Resolution to approve new subdivision regulations – resolution was not presented as the section needs more work.

2013 Excess Sales Tax Revenue allocation will be split between the B and DB Funds.

Workshop Topics

2014 objectives and goals – Supervisor Tessmer went through his list.

New Topics – Discussion and Comments

Transfer station property lease up next year.

With no further business, on a motion of Councilman Martin, seconded by Councilman Vogtli the meeting was adjourned in memory of Jamie Krajewski at 10:06 pm.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 3rd day of February 2014.

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

Others Present: Lois Johnson; Dick Agle; Wayne Harvey; Richard Westlund, 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 # 74: AGENDA APPROVAL

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

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

RESOLUTION # 75: MINUTES APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli to approve the minutes of the Monday, January 21st town board meeting.

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

RESOLUTION # 76: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #25 for 2013 dated February 3, 2014, vouchers # 902 - 905 for \$ 4,413.42 and abstract #3 for 2014 dated February 3, 2014, vouchers # 27 - 63 and 65 for \$ 53,290.71.

Abstract # 25 - 2013

General – Town Wide	3,769.94	Highway	643.48
		Total	\$ 4,413.42

Abstract # 3 - 2014

General – Town Wide	2,374.64	Water District #1	68.74
General - Part Town	252.46	Water District #3	9.24
Highway	49,370.40	Water District #4	0.80
Special Refuse Fund	1,214.43	Total	\$ 53,290.71

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

Public Access

Lois Johnson reported on the new senior program of Pickle ball. It will be held on the first, second and fourth Sundays in the LKP gym.

Departmental Reports

Town clerk reported sales of \$4,229.90 in January with the towns share \$4,135.40.

Highway Superintendent Jensen is looking to replace the 1972 roller with one he found in Elma for \$6,000.00. The transfer station truck needs front and rear springs.

Parks and Recreation Liaison Councilman Vogtli has ideas to get involvement from the local businesses to help with the Liberty Fest.

Water – Supervisor Tessmer has the reports from the last two months; Justin Wallschlaeger is still in training and they are in the process of doing some repairs in District #1.

Board Reports

Councilman Vogtli will research the Industrial Development Agency.

Councilman Martin reported the building committee will meet next Friday; the financial committee met last Saturday; attended the Collins Center Fire installation dinner; received the editorial from General Code – will go over it with Attorney Musacchio and will meet with Councilman Vogtli to bring her up to speed.

Councilman Stelley attended the Collins Center Fire installation dinner; updated the website; spoke with Jeff Travers on workplace violence for information and spoke with Jennifer on what is needed.

Councilman Clark met with the highway superintendent and the supervisor and worked on the workplace violence.

Supervisor Tessmer sent the Industrial Appraisal contract out; sent Attorney Musacchio the transfer station lease; attended the Assoc of EC Govt's meeting; spoke with Gernatt's regarding the Richardson Road pump house property and met with John Wilson of Wm Schutt on the LKP door project.

Old Business

1. Resolution to increase Dog Control Officer salary

RESOLUTION # 77: **INCREASE TOWN OF COLLINS DOG CONTROL OFFICER SALARY**

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

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

WHEREAS, Mary Dankert, the Town of Collins Dog Control Officer (DCO) has increased duties due to the Village of Gowanda's elimination of their DCO position, and

WHEREAS, the Town of Collins DCO must continue to provide DCO services to the portion of the village within the Town of Collins, and

WHEREAS, the Town of Persia has also addressed this situation in their portion of the Village, and has increased their DCO salary line accordingly.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board increase Mary Dankert's salary from \$4,477.80 per annum to \$5,000.00 per annum, effective February 4, 2014, and

BE IT FURTHER RESOLVED, that the additional \$522.20 be transferred from Budget Line A1989.000 – Unclassified, to Budget Line A3510.100 – Personal Services, to cover the increase.

2. Resolution to allocate 2013 excess sales tax distribution monies

RESOLUTION # 78: **APPROVE EXCESS SALES TAX ALLOCATION TO B AND DB FUNDS**

Motion made by Supervisor Tessmer seconded by Councilman Martin to allocate the excess 2013 sales tax revenue of \$54,894.43, and modify the appropriate budget lines as follows:

B1120 - Non-Property Tax Distribution, increased by \$27,447.21

DB1120 - Non-Property Tax Distribution, increased by \$27,447.22

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

New Business

1. Resolution to increase Water Department laborer salary – after 90 probationary period

RESOLUTION #79: **INCREASE WATER DEPARTMENT PART-TIME LABORER SALARY AFTER PROBATIONARY PERIOD**

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

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

WHEREAS, the Town of Collins hired part-time Water Department laborer Justin Wallschlaeger at \$10.00 per hour for 90-day probation period, effective October 15, 2013, after which time his salary was to be evaluated, and

WHEREAS, upon completion of his 90-day probationary period, Justin's job performance and knowledge were evaluated and highly rated.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board increase the salary of part-time Water Department Laborer Justin Wallschlaeger from \$10.00 per hour to \$12.50 per hour effective February 9, 2014.

2. Resolution to advertise for Seniors Program Director

RESOLUTION #80: **ADVERTISE FOR SENIOR RECREATION PROGRAM DIRECTOR**

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

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

Whereas, Joan Byrne, the Town of Collins Seniors Program Director has expressed her interest in retiring after many years of service to the 50-plus Seniors program, and

WHEREAS, in conjunction with our deep appreciation and recognition of Joan's service to the Town of Collins, it is necessary to advertise for, and interview candidates to find her successor.

NOW THEREFORE BE IT RESOLVED, that the Town of Collins place an ad in the February 8, 2014, Gowanda News to solicit candidates as follows:

HELP WANTED Town of Collins Part-Time Seniors Program Director

Applications available at the Town Clerks office And must be received by

February 21, 2014, at 4:00 PM

PREFERENCE GIVEN TO TOWN OF COLLINS RESIDENTS

3. Resolution to declare two LKPCC window air conditioners as surplus for disposal

RESOLUTION #81: **DECLARE TWO WINDOW AIR CONDITIONING UNITS AS SCRAP**

Motion made by Supervisor Tessmer seconded by Councilman Vogtli to declare two 25-year old Whirlpool air conditioning units removed during the LKPCC renovations as scrap and be properly disposed of.

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

4. Resolution to accept Supervisors Report for December 2013

RESOLUTION #82: **ACCEPT DECEMBER 2013 SUPERVISORS REPORT**

Motion made by Councilman Clark seconded by Councilman Vogtli to accept the Town of Collins Supervisor's Report as submitted, for the month of December 2013.

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

5. Resolution to approve 2013 Budget Transfers

RESOLUTION #83: **APPROVE 2013 BUDGET TRANSFERS**

Motion made by Supervisor Tessmer seconded by Councilman Martin to approve the following 2013 Budget Transfers and Modifications:

A Fund:

Transfer From:

A1910.400 Unallocated Insurance \$206.27
A1620.410 Shared Services – Repairs \$3,133.77

A1910.400 Unallocated Insurance \$1.73
A5132.430 Highway Heat \$175.61

TOTAL A \$3,517.38

Transfer To:

A1355.400 Assessors Contract. \$206.27
A1620.100 Shared Svcs – Maint. \$2,318.45

A1620.460 Shared Svcs – Supplies \$815.32
A3510.400 Safety from Animals – Contract \$1.73
A5132.460 Highway Supplies \$175.61

\$3,517.38

B Fund:

Transfer From:

B7110.100 Parks – Personal Svcs \$172.57

Transfer To:

B7110.400 Parks – Contractual \$172.57

B7310.402 Youth Programs – Youth Svc	\$1,548.50	B7310.404 Youth Svcs – Field Trips	\$1,513.18
		B7310.405 Youth Svcs – Sales Tax	\$35.32

TOTAL B	\$1,721.07	\$1,721.07
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DB Fund:

Transfer From:

DB5110.400 Hwy Part Town – Contractl \$696.94

DB5148.400 Snow C – Contractl \$6,697.60

Transfer To:

DB5142.402 Snow Contractl – Gas \$696.94

DB5148.403 Snow C Contractl – Salt \$5,442.35

DB5148.404 Snow C Contractl – Sand \$1,255.25

TOTAL DB	\$7,394.54	\$7,394.54
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SW1 Fund:

Transfer From:

SW1-8320.441 Source of Supp – Purch Meters \$2,735.90

Transfer To:

SW1-8320.421 Source of Supp – Purch Tools \$2,735.90

TOTAL SW-1	\$2,735.90	\$2,735.90
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SW3 Fund:

Transfer From:

SW3-9055.800 Disability Ins – Empl Benefit \$6.06

SW3-8310.415 Water Admin – Office \$1.00

Transfer To:

SW3-9055.500 Disability \$6.06

SW3-9710.750 Interest \$1.00

TOTAL SW-3	\$7.06	\$7.06
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ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay 0

New Topics – Discussion and Comments

Voucher procedure – Councilman Martin handed out copies of some of the voucher forms that are being used. The committee has come up with some changes to the vouchers and the way things are done.

Attorney Musacchio spoke with General Code and we can send them the prospective changes and they will review before the final draft is to be accepted.

Transfer station property lease up next year.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Clark the meeting was adjourned at 8:16 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Tuesday, the 18th day of February 2014.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk

Absent: Janet Vogtli, Councilman

Others Present: Karl Simmeth from State Assemblyman David DiPietro's office; Douglas Zureck; Jim Cohoon; Dick Agle; Richard Westlund, 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 # 84: AGENDA APPROVAL

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

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

RESOLUTION # 85: MINUTES APPROVAL

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

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

RESOLUTION # 86: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #4 for 2014 dated February 18, 2014, vouchers # 64, 66 – 84, 86 - 102 for \$ 77,827.60.

General – Town Wide	6,194.06	Special Refuse Fund	135.98
General - Part Town	666.92	Water District #1	4,331.48
Highway	25,508.22	Water District #3	2,794.63
LKPCC	36,674.10	Water District #4	23.22
Special Lighting	1,498.99	Total	\$ 77,827.60

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

Old Business

1. Resolution to approve 2013 budget modifications

RESOLUTION # 87: APPROVE 2013 BUDGET TRANSFERS & MODIFICATIONS

Motion made by Supervisor Tessmer seconded by Councilman Clark to approve the following 2013 Budget Transfers & Modifications:

DB Fund:

Transfer From:		Transfer To:	
DB5148.100 Snow C – Personal Svcs	\$5,000.00	DB5142.402 Snow Contract. - Gas	\$375.53
DB5148.400 Snow C – Contractual	\$9,732.53	DB5148.401 Snow C – Contractl - Ds	\$3,506.92
		DB5148.403 Snow C – Contractl – Salt	\$10,850.08
TOTAL DB	\$14,732.53		\$14,732.53

SR Fund:

Transfer From:		Transfer To:	
SR8160.400 Refuse Garbage - Contractl	\$9.60	SR8160.440 Refuse Garbage - phone	\$9.60
TOTAL SR	\$9.60		\$9.60

Accrued Liability Transfers**A Fund:**

Transfer From:

A1910.400 Unallocated Insurance \$614.17

Transfer To:

A1340.100 Budget Ofr – Personal \$121.67

A1620.200 Shared Svs – Maint. Personnel \$492.50

TOTAL A**\$614.17****\$614.17****B Fund:**

Transfer From:

B7310.101 Youth Programs – Rec Pers \$179.38

Transfer To:

B7310.102 Yth Prgrm – Yth Svcs Pers \$179.38

TOTAL B**\$179.38****\$179.38****Transfers to Reserve:**

Fund Budgeted:

A \$ 15,000.00

Transfer from:

A9950.900 Transfer to Reserve

To:

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

SW19950.900 Transfer to Capital Funds

SW1231 Capital Reserve

\$8,760.00

SW19950.260 Transfer to Truck Reserve

SW1232 Truck Reserve

SW3 \$2,000.00

SW39950.250 Transfer to Reserve

SW3231 Capital Reserve

\$1,000.00

SW39950.264 Transfer to Truck Reserve

SW3232 Truck Reserve

SW4 \$4,500.00

SW49950.261 Transfer to Reserve

SW4231 Capital Reserve

\$450.00

SW49950.260 Transfer to Truck Reserve

SW4232 Truck Reserve

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 0

New Business

1. Resolution to appoint replacement winter recreation counselor

RESOLUTION #88: **HIRE WINTER RECREATION COUNSELOR**

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

ADOPTED Aye 4 Martin, Stelley, Clark, Tessmer

Nay 0

WHEREAS, the Town of Collins operates a Winter Recreation Program, and

WHEREAS, the Town wishes to fill an open position due to the loss of Rebecca McMullen, and

WHEREAS, the Parks & Recreation Advisory Committee interviewed Jessica Mercado.

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins follow the recommendation of the Parks & Recreation Advisory Committee and hire Jessica Mercado as a returning Counselor, effective February 21, 2014, at a rate of \$9.30/hr.

2. Resolution to purchase used roller for highway department

RESOLUTION #89: **PURCHASE USED ROLLER FOR HIGHWAY DEPARTMENT**

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

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

WHEREAS, The Town of Collins Highway Department owns a 1972 Galion roller used for paving work, which is over 40 years old and has met the end of its useful life, and

WHEREAS, the Highway Superintendent has located a used 1993 Ferguson roller with 2,100 hours, at Baschmann Services, Inc., in Elma New York for \$6,000.00, and

WHEREAS, because this roller would cost approximately \$30,000 new, it is fiscally responsible to purchase this type of equipment used.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Town of Collins Highway Superintendent to purchase this 1993 Ferguson Model 46A roller from Baschmann Services Inc., of Elma New York for \$6,000.00, and

BE IT FURTHER RESOLVED, that the 1972 Galion roller be declared surplus and taken for scrap.

3. Resolution on home rule request of Industrial Development Agency

RESOLUTION #90: **TO SEND HOME RULE REQUEST TO EXPAND CORPORATE LIMITS OF CONCORD IDA**

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

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

WHEREAS, New York State Senator Patrick Gallivan has sponsored Bill Number S6122 to amend the general municipal law to expand the corporate limits of the town of Concord Industrial Development Agency, and

WHEREAS, this Bill would allow development projects in the Town of Collins, as well as the Towns of Brant, Colden, Holland, North Collins, Sardinia, and Wales, to apply for assistance through the Concord IDA, and

WHEREAS, this Bill also allows input (including veto power) from the Town of Collins as it relates to any Town of Collins project being considered by the Concord IDA, which currently does not exist with the Erie County IDA, and

WHEREAS, if the Bill becomes law, the Town of Collins will still have the choice of joining the expanded Concord IDA or remaining part of the Erie County IDA.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to complete and sign the Home Rule Request as required to amend general municipal law and forward copies to Senator Patrick Gallivan.

Doug Zureck of Brown Street addressed the board about not receiving the Springville Journal. (A number of people have said they called the Springville office and was told Metro Group decided not to deliver the Journal.) Mr. Zureck attended the Springville School Board and they said the residents have to receive the school budget information.

Doug said he has seen a Dollar General truck and 45' trailer on Brown Street. Supervisor Tessmer spoke with Mr. Sickler of EC Highway Department and was told Brown Street is designed for truck traffic. On a last item Mr. Zureck asks if there is anything that can be done to alleviate the flooding of the area below him. Mr. Tessmer will speak with the highway superintendent.

Karl Simmeth is our community liaison with NYS Assemblyman David DiPietro's office. If we have any state issues he can help us with them and will try to make one meeting per month.

Councilman Martin handed out two vouchers that the finance committee would like everyone to use.

According to the contract with General Code, we will receive 15 copies of the town's code book and no electronic copy. If the board would like they will come and do a presentation. Councilman Martin will set one up.

Workshop Topics

Employee evaluations: guidelines and timeframes

Supervisor Tessmer recommends an annual employee evaluation. He went through the job descriptions and made copies for the department heads and will meet with each one so the process can be completed in March.

With no further business, on a motion of Councilman Clark, seconded by Councilman Martin the meeting was adjourned at 8:19 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 3rd day of March 2014.

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

Others Present: Mitch Martin from Senator Gallivan's office; Karl Simmeth from State Assemblyman David DiPietro's office; Dennis Jensen Highway Superintendent; Gene Degman; Matthew Smith; Tom Herrington; Dick Clark; Dick Agle; Tom Flynn; Wayne Harvey; Richard Westlund, reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

Supervisor Tessmer called the meeting to order at 7:02 PM with the pledge to the Flag.

RESOLUTION # 91: AGENDA APPROVAL

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

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

RESOLUTION # 92: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the Tuesday, February 18th town board meeting.

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

RESOLUTION # 93: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #5 for 2014 dated March 3, 2014, vouchers # 103 - 123 for \$ 11,496.45.

General – Town Wide	7,575.83	Special Refuse Fund	165.56
General - Part Town	647.89	Water District #1	529.91
Highway	142.16	Water District #3	150.66
LKPCC	1,517.57	Water District #4	13.10
Collins Fire District	634.68	Total	\$ 11,496.45
Helmuth Fire Control	119.09		

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

RESOLUTION # 94: ALLOW USE OF LKPCC PARKING LOT

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board allow the Collins Fire Company use the LKPCC parking lot on Monday March 17, 2014 for overflow parking for their Corned Beef and Cabbage Dinner.

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

Public Access

Tom Herrington of Hillview Road has a drainage problem at his property. Supervisor Tessmer will meet with him on the problem.

Tom Flynn asked if anything has been done with the dog rescue licensing situation. The planning board has made recommendation to redo the dog law. Mr. Flynn also asked about what is going on with Helmuth Control. The next meeting is this Thursday.

Karl Simmeth from State Assemblyman David DiPietro's office reported on a few new programs and left some brochures.

Mitch Martin from Senator Gallivan's office reported they found 2,219 state regulations that should

be limited / eliminated. Senator Gallivan is not in favor of the Dream Act and college for prisoners.

Departmental Reports

Attorney Musacchio looked through the code updates and is working on the mobile home statute.

Code Enforcement Officer Degman spoke with a company that wants to put up a cellular tower.

Highway Superintendent Jensen reported the roller is back at the shop; they are getting ready to paint and take away scrap; helped Doug Martindale take the front inner doors out and has set up with corrections to have a crew clean up the parks this spring.

Parks and Recreation meeting will be March 10th. Councilman Stelley asked about the last minutes so they can be put up on the website as meeting dates should be.

Town Clerk Summers reported \$ 3,567.40 in sales last month with the town's portion \$ 3,466.40. A total of \$ 512,067.05 has been received for the payment of property taxes.

Water Department – Doug Martindale is working on issues at the pump house; four frozen meters were replaced and in district 3 had a frozen line on Main Street and the service line was replaced.

Board Reports

Councilman Vogtli attended the Liberty Fest meeting and went to the Collins Fire Company Installation Dinner.

Councilman Martin attended the Collins Fire Company Installation Dinner; reviewed the vouchers; met with Highway Superintendent Jensen on the vouchers; attended the building committee meeting and will set up a presentation with General Code in April.

Councilman Stelley updated the website; attended the Collins Fire Company Installation Dinner; attended justice interviews; working on the workplace violence and reviewed the vouchers.

Councilman Clark attended the Collins Fire Company Installation Dinner; met with Councilman Martin and Hwy Superintendent Jensen and attended the justice interviews.

Supervisor Tessmer worked with the water and highway departments; met with EC Comptroller Stefan Mychajliw; attended AEC Gov'ts meeting; spoke with DEC on getting waste haulers registered; attended Senator Gallivan's round table meeting; had request from Mike Finch from Collins Center Fire Dept regarding approved house numbers on all building and attended the Collins Fire Company Installation Dinner.

RESOLUTION # 95: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board moves into an executive session at 8:17 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

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

RESOLUTION # 96: **RETURN TO REGULAR SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board returns to regular session at 8:35 PM.

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

Old Business

1. Resolution to appoint Town Justice

RESOLUTION # 97: **APPOINT TOWN JUSTICE**

Motion made by Councilman Clark seconded by Councilman Vogtli that the following resolution is

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

Whereas, the Town of Collins has two positions for Town Justice; and,

Whereas, both of these positions have been filled until the untimely death of Justice Norm Peters; and,

Whereas, the Town of Collins has been informed that an option in such a circumstance is

to hire and train a temporary Town Justice until the end of the year, after which a candidate elected in the special election to be held in November of this year is seated on the bench; and,

Whereas, to that end, we have advertised for, and received applications for the temporary position of Collins Town Justice; and,

Whereas, the Personnel Committee has interviewed all eligible applicants, and has checked the references of the top three choices; therefore,

Be it Resolved, that the Town of Collins Town Board appoint Brian Gernatt to the Position of Town of Collins Town Justice, at a salary of \$14,500 per annum, pro-rated, effective March 28, 2014, until December 31, 2014, after which time the winner of the election, to be held in November of this year, is sworn into office. This appointment will be contingent on his successful completion of the OCA training to be held March 31 - April 5, 2014.

2. Resolution to authorize Supervisor to sign proposal for Wing's LLC to complete Town Hall basement office and pass-thru

RESOLUTION # 98: **AUTHORIZE SUPERVISOR TO SIGN PROPOSAL FOR TOWN HALL BASEMENT WORK**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the following resolution is ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer

Nay 0

WHEREAS, The Town of Collins received a bid proposal from Wing's LLC to complete renovations in the Town Hall basement including the finish work on the pass-through and office area, and

WHEREAS, the project costs were included in a Justice Court Assistance Program (JCAP) grant application, submitted by the Hon. Walter Cain, and

WHEREAS, the Town of Collins was awarded \$2,500.00 through the JCAP program to do the work.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the proposal from Wing's LLC to complete the work at a cost of \$2,950.00, and

BE IT FURTHER RESOLVED, that the project be paid for using the \$2,500.00 JCAP grant and the remaining \$450.00 be taken from budget line A1620.470 – Improvements.

3. Discussion on Collins Town Park shelter – the contractor (Wiedeman & Sons) filed chapter 7 bankruptcy and Supervisor Tessmer spoke with their attorney and was told they are out of business. Mr. Tessmer spoke with John Smigiel to give us a list of items that have to be done and the cost to complete the project.

New Business

1. Discussion on Southtowns Rural Preservation Company which was established for community development in the rural southern part of EC. One of their goals is through rehabilitation of low and very low income individuals housing. They have provided over \$27,145.00 in grant funds to Collins homeowners.

2. Discussion on Southtowns Community Enhancement Coalition which is an intermunicipal community development group made up of southern towns and villages to promote the area. They recently embarked on the Southtowns Farm Trail to promote tourism. Supervisor Tessmer will ask for more information.

3. Resolution in Opposition to the proposed NYS Tax Freeze

RESOLUTION # 99: **IN OPPOSITION TO GOVERNOR CUOMO'S TAX FREEZE LEGISLATION**

Motion made by Supervisor Tessmer seconded by Councilman Vogtli that the following resolution is

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

Nay 0

WHEREAS, Andrew Cuomo when Attorney General made it clear that he intends to reduce the layers of government in New York State by forcing the "Citizens Empowerment Act", through both

houses of the New York Legislature with little or no public or legislative discussion, and

WHEREAS, the New York State Senate and Assembly voted to approve the Citizens Empowerment Act with little regard for community dialogue or house debate, and

WHEREAS, as Governor, Andrew Cuomo continues to create legislation that is intended to create fiscal hardship on local government by capping property taxes at less than 2%, and

WHEREAS, the New York State Senate and Assembly voted to approve the Property Tax Cap with little regard for community dialogue or house debate, and

WHEREAS, the Property Tax Cap has reduced local revenues with no increase in Aid and Incentives for Municipalities (AIM) funding, and

WHEREAS, the Tax Freeze is a temporary program that does not provide relief from unfunded NYS mandates which annually increases the cost of local government services and further contributes to the tax burden on our residents, and

WHEREAS, reduced tax revenues will eventually make it necessary to reduce locally delivered services or exceed the imposed tax cap, and

WHEREAS, Governor Cuomo is proposing in his 2014-15 budget to impose further punitive legislation upon local government under the proposed "Tax Freeze," and

WHEREAS, this proposed "Tax Freeze" also requires consolidation of municipal services, and

WHEREAS, most local municipalities have already consolidated many services and have little or no opportunity to further consolidate, and

WHEREAS, if enacted, the "Tax Freeze" will cause additional fiscal hardship on local governments, especially those that have previously consolidated services, and

WHEREAS, compliance with Governor Cuomo's proposal will eventually put local governments in fiscal distress.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board opposes the "Tax Freeze" legislation included in Governor Cuomo's proposed 2014-15 New York State budget, and

BE IT FURTHER RESOLVED, that the Collins Town Board urges the NYS Senate and Assembly to delete the legislation known as the "Tax Freeze" from the Governor's 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, State Senator Patrick Gallivan, State Assemblyman David DiPietro, and Erie County Legislator John Mills.

Update on Codification of Town Code - Councilman Martin went through the process up to this point and the board should review the code this far. There is three copies that will be passed around to the board.

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

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 17th day of March 2014.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
James Musacchio, Attorney (7:31pm)
Susan Gamel, Budget Officer

Absent: Janet Vogtli, Councilman

Others Present: Dick Agle; Charles Rinaldi Gowanda Central School District; Richard Westlund, reporter Gowanda Penny Saver News and Samantha McDonnell, reporter Observer

Supervisor Tessmer called the meeting to order at 7:02 PM with the pledge to the Flag.

RESOLUTION # 100: **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 # 101: **MINUTES APPROVAL**

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

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

RESOLUTION # 102: **ABSTRACT APPROVAL**

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #6 for 2014 dated March 17, 2014, vouchers # 124 - 192 for \$ 286,866.21.

General – Town Wide	6,207.13	Special Lighting	1,614.23
General - Part Town	975.69	Special Refuse Fund	1,365.93
Highway	56,103.96	Water District #1	8,917.56
LKPCC	105.00	Water District #3	3,348.08
Collins Fire District	188,253.42	Water District #4	33.21
Rosenburg Fire District	19,942.00	Total	\$ 286,866.21

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

A presentation was given by Gowanda Schools Superintendent Charles Rinaldi covering the 2014 – 2015 school budget. Mr. Rinaldi will retire as of June 30th this year.

Old Business

1. Resolution to donate \$250.00 to Southtowns Rural Preservation Company

RESOLUTION # 103: **DONATE \$250.00 TO SOUTHTOWNS RURAL PRESERVATION CO.**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to donate \$250.00 to the Southtowns Rural Preservation Company Inc., an organization that provides grant opportunities to low and moderate income homeowners, for them to complete a Needs Assessment for their service area, which includes the Town of Collins.

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

2. Resolution to join Southtowns Community Enhancement Coalition, and pay dues

RESOLUTION # 104: **JOIN SOUTHTOWNS COMMUNITY ENHANCEMENT COALITION, AND PAY ANNUAL DUES**

Motion made by Supervisor Tessmer and seconded by Councilman Martin for the Town of Collins to become a member of the Southtowns Community Enhancement Coalition along with the Towns of Evans, Brant, Eden, North Collins and Concord, and the villages of Angola, Farnham, and North Collins, and pay the \$1,000.00 annual dues. This organization promotes the visibility, tourism, and economic development opportunities of the member communities through various programs and events.

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

3. Resolution to authorize Supervisor to sign proposal to complete Collins Town park shelter
RESOLUTION # 105: **AUTHORIZE SUPERVISOR TO SIGN PROPOSAL WITH SMIGIELS HOME IMPROVEMENT TO COMPLETE COLLINS TOWN PARK SHELTER**

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

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

WHEREAS, on July 8, 2013, the Town of Collins hired Wiedeman & Sons to construct a 30' x 40' open air shelter in the Collins Town Park, for \$11,000.00, and

WHEREAS, this contract amount was \$5,243.00 less than the only other bid submitted, and

WHEREAS, the shelter is not yet complete, and the Town of Collins has since been notified that the contractor has ceased operation and filed bankruptcy, and

WHEREAS, the Town of Collins has paid the contractor \$6,600.00, and House of Steel \$2,114.18, toward the contract amount, leaving \$2,285.82 remaining under the original bid agreement, and

WHEREAS, in an effort to get the shelter completed in an expeditious and cost effective manner, the Town contacted John Smigiel, the local contractor who replaced the Town Hall roof, and did an excellent job, to provide a proposal to complete the shelter, and.

WHEREAS, Smigiels submitted a proposal to complete the shelter plus correct deficiencies, at a not to exceed cost of \$4,100.00, which is \$1,814.18 over the contract award cost, but \$3,428.82 lower than the only other original bidder.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Collins authorize the Supervisor to sign the proposal from Smigiels Home Improvement to complete the Collins Town Park shelter for \$4,100.00.

4. Update on Workplace violence training – Councilman Stelley reported she and Councilman Clark interviewed employees for updating the 2009 file. Budget Officer Gamel stated Perma has a DVD covering this and has ordered one. The Town will have to formulate a security plan. Councilman Stelley will prepare the report.

New Business

1. Resolution to place ad for summer recreation

RESOLUTION # 106: **APPROVE AD FOR SUMMER RECREATION AND BEAUTIFICATION**

Motion made by Councilman Clark seconded by Supervisor Tessmer To approve putting an ad in the Gowanda News for weeks of March 29 and April 5, 2014 with deadline April 11, 2014 at 4:00 pm for summer recreation and beautification.

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

Workshop Topics

Town email accounts – An article was handed out from the Committee on Open Government concerning the status of email under the Freedom of Information Law (FOIL).

The Town's website is set up for electronic email that can receive and send messages so board members can use those accounts instead of their own personal account to do the business of the town.

Liberty Fest was set for June 28, 2014. Jeff Johnson heard the Gowanda Little League has a tournament on that date so he changed the Liberty Fest to June 21, 2014. Supervisor Tessmer will contact the Little League.

Jeff would like to do a float in the Springville Dairy Festival parade and wants the board's opinion on having as a focal activity exotic animals at the Liberty Fest. Approximate cost would be \$600.00. The board agreed it is ok for him to look into it.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Martin the meeting was adjourned at 8:26 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 7th day of April 2014.

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

Others Present: Gene Degman Code Enforcement Officer; Dick Agle; Wayne Harvey; Margaret Degenfelder; Jeff Johnson and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 107: AGENDA APPROVAL

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

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

RESOLUTION # 108: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Vogtli to approve the minutes of the Monday, March 3rd town board meeting after adding the word Employees to the end of the line: Resolution # 106: Approve Ad for Summer Recreation and Beautification Employees and after the word beautification at the end of the resolution.

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

RESOLUTION # 109: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #7 for 2014 dated April 7, 2014, vouchers # 193 - 222 for \$ 18,217.01.

General – Town Wide	10,993.77	Special Refuse Fund	38.63
General - Part Town	538.96	Water District #1	75.42
Highway	114.96	Water District #3	30.06
LKPCC	2,515.00	Water District #4	<u>2,524.95</u>
Special Lighting	1,385.26	Total	\$ 18,217.01

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

Public Access

Wayne Harvey mentioned the pothole on Route 39 in Collins Center and asked about up-dating the water billing process.

Presentation by LoriAnn Shura of General Code showed how the town's code book would be accessible online to employees and residents.

Departmental Reports

Assessor complied a handout of her yearly schedule, explanation of assessments vs. taxes, The Property Tax Cycle brochure and the Job of the Assessor brochure.

Code Enforcement Officer handed out his March monthly report.

Town Clerk reported sales of \$ 8,372.15 with the town receiving \$ 8,034.17. \$ 1,934,350.29 in taxes has been paid.

Board Reports

Councilman Martin attended the Helmuth meeting (the new 911 system has been installed and is in operation) and reviewed the vouchers.

Councilman Stelley attended the Prison Advisory Board meeting, reviewed the vouchers, updated the website, attended the Liberty Fest meeting, worked on the workplace violence and participated in the Senior' program coordinator interviews.

Councilman Clark attended the Liberty Fest meeting and worked on the workplace violence.

Supervisor Tessmer reported the park shelter is done; we have received the first quarter sales tax check; spoke with highway superintendent about the concrete for the park shelter and the Lenox Road culvert replacement project and Industrial Appraisers will start next week.

All Board members attended the swearing in ceremony for Justice Gernatt.

Town Justice Brian Gernatt will appoint Peggy Tessmer as his court clerk.

Old Business

1. Resolution authorizing 2014 Liberty Fest

RESOLUTION # 110: **AUTHORIZING 2014 LIBERTY FEST**

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

ADOPTED Aye 5 Vogtli, Martin, Stelley, 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 has sponsored the Liberty Fest since 2011, which is 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 THEREFORE BE IT RESOLVED, that the Town Board appoint Mary Clark, Deputy Supervisor, and Janet Vogtli, Councilwoman, to co-chair a committee to oversee the organization and realization of the fourth annual Liberty Fest, with the ability to set up committees and make decisions, and

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 2014.

New Business

1. Resolution declaring May 4, 2014, as Draft Animal Day

RESOLUTION # 111: **DECLARE MAY 4, 2014 AS DRAFT ANIMAL DAY**

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

ADOPTED Aye 5 Vogtli, Martin, Stelley, 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 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 4, 2014 be officially designated and proclaimed "DRAFT ANIMAL DAY" in the Town of Collins, and

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

2. Resolution supporting increased funding for WVDP

RESOLUTION # 112: **SUPPORTING INCREASED FUNDING FOR WEST VALLEY DEMONSTRATION PROJECT**

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

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

Nay 0

WHEREAS, the President's 2015 federal budget request included only \$60.5 million for the West Valley Demonstration Project (WVDP), and

WHEREAS, when the Department of Energy issued its Decommissioning Environmental Impact Statement in 2010, it assumed that Phase 1 Decommissioning activities could be

completed in ten years with an annual federal appropriation of \$75 million, and

WHEREAS, since that time, the annual federal appropriation has generally been between \$60 and \$65 million, and this level of funding has significantly impacted the 10-year schedule for Phase 1 decommissioning activities, and

WHEREAS, if the WVDP receives an annual federal appropriation of just \$60 million throughout Phase 1, it will take 20 years to complete, which is twice as long as DOE initially estimated and will add \$200 million to the total project cost, and

WHEREAS, we strongly encourage the Department of Energy to restore WVDP funding to the \$75 million level that was anticipated when the Final Environmental Impact Statement was released in 2010, in order to continue the cleanup project on schedule and as expeditiously as possible.

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins supports the Cattaraugus County Legislature's requests to the federal government to restore WVDP funding to the current \$75 million that was anticipated when the Final Environmental Impact Statement and Record of Decision were issued in 2010, and

BE IT FURTHER RESOLVED, that this level of funding be stabilized for 10 years to complete all Phase 1 decommissioning work, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to the West Valley Citizen Task Force.

3. Resolution to approve change order for Town Hall basement project

RESOLUTION # 113: **APPROVE CHANGE ORDER NO. 1 FOR TOWN HALL BASEMENT PROJECT**

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

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

Nay 0

WHEREAS, during the preconstruction walk-through of the Town Hall basement project, it was decided to upgrade the office door size and type to match the newer doors, and

WHEREAS, it is our desire to maintain consistency in the Town Hall with all new construction finishes and materials.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board approve Change Order Number 1 for the Town Hall basement office project contract by Wings LLC., in the amount of \$340.00, and authorize the Supervisor to notify the contractor.

RESOLUTION # 114: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board moves into an executive session at 8:42 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

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

Nay 0

RESOLUTION # 115: **RETURN TO REGULAR SESSION**

Motion made by Councilman Clark seconded by Councilman Vogtli that the Board returns to regular session at 9:01 PM.

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

Nay 0

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Martin the meeting was adjourned at 9:02 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 21st day of April 2014.

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

Others Present: Karl Simmeth from State Assemblyman David DiPietro's office; Gene Degman and Charles Siegle Code Enforcement Officers; Lois Johnson; Jeanne Ebersole; Brian Martin chairman, Dick Agle, John Bentley and Joan Fallon Planning Board; Richard Westlund, 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 # 116: AGENDA APPROVAL

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

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

RESOLUTION # 117: MINUTES APPROVAL

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

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

RESOLUTION # 118: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #8 for 2014 dated April 21, 2014, vouchers # 223 - 269 for \$ 76,947.06

General – Town Wide	14,654.38	Special Refuse Fund	2,671.47
General - Part Town	5,628.35	Water District #1	2,693.99
Highway	39,797.69	Water District #3	326.49
LKPCC	1,089.00	Water District #4	11.96
Special Lighting	23.73	Total	\$ 76,947.06
Helmuth Fire Control Fund	10,050.00		

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

Old Business

1. Resolution TO JOIN Southtowns Community enhancement Coalition

RESOLUTION # 119: PAY SOUTHTOWNS COMMUNITY ENHANCEMENT COALITION DUES AND APPOINT MEMBER

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

ADOPTED Aye 5 Vogtli, Martin, Stelley, Clark, Tessmer
 Nay

Whereas the Town of Collins has agreed to become a member of the Southtowns Community Enhancement Coalition (SCEC) along with the Towns of Evans, Brant, Eden, North Collins and Concord, and the villages of Angola, Farnham, and North Collins, and

WHEREAS, the SCEC promotes the visibility, tourism, and economic development opportunities of the member communities through various programs and events, and

WHEREAS, the SCEC has voted on and accepted the Town of Collins membership at its April 2014 regular meeting.

NOW THEREFORE BE IT RESOLVED that the Town of Collins agrees to pay the \$1,000.00 annual dues, and appoints David Tessmer as the Town's representative on the SCEC Board.

2. Resolution to authorize Supervisor to sign contact with General Code

RESOLUTION # 120: **AUTHORIZING THE SUPERVISOR TO SIGN THE AGREEMENT WITH GENERAL CODE**

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli for the Collins Board to authorize the Supervisor to sign the agreement with General Code to enroll in their eCode 360 service and pay the \$1,495 startup cost, and thereafter, pay the \$1,195.00 annual maintenance fee.

RESOLUTION WAS WITHDRAWN – Councilman Martin asked to hold off on enrolling in the eCode 360 service as the Town Code has not been finalized and is not ready for printing. Supervisor Tessmer withdrew his motion and Councilman Vogtli withdrew her second.

New Business

1. Resolution authorizing New/Cal Construction change order no. 2W

RESOLUTION # 121: **APPROVE CHANGE ORDER NO. 2W FOR LKPCC WINDOW REPLACEMENT PROJECT**

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

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

Nay 0

WHEREAS, during the construction phase of the window replacement project at the L.K. Painter Center, the contractor identified substantially deteriorated window / door frames, and

WHEREAS, the condition of the frames would jeopardize the window installations being made, and

WHEREAS, it was necessary to replace these rotted areas to complete the window installation 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 2W for the Window Installation Contract by NewCal Construction, Inc. in the amount of \$2,640.00 to be taken from the Building Improvements line and authorize the Supervisor to sign same.

2. Resolution to hire 2014 Summer Recreation and Beautification Workers

RESOLUTION # 122: **HIRE 2014 SUMMER RECREATION AND BEAUTIFICATION WORKERS**

Motion made by Councilman Clark seconded by Councilman Vogtli that the following is:

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

Nay 0

Whereas, the Town of Collins sponsors Summer Recreation and Summer Beautification programs, and

Whereas, the Town wishes to fill the positions necessary for these programs, and

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

Therefore, Be it Resolved that the Town Board of the Town of Collins follow the recommendations of the Recreation Committee, and hire the following applicants for 2014 summer programs:

Head Counselor, Collins:

Samantha D'Amato at \$9.80/hr.

Head Counselor, Collins Center:

Kendrick Wilson at \$9.80/hr

Craft Coordinator:

Rebecca Russell, at \$9.80/hr.

Counselors (returning, at \$9.30/hr):

Thomas McMullen, Christian Peglowski, Rebecca McMullen

Counselors (new, at \$8.75/hr.):

Nicholas Marrocco, Chandler Kusiowski, Heidi Ploetz,
Kimberly Mrowczynski, Angel Menoff

Beautification Workers:

Rhiannon Starks, Hayley Ploetz at \$9.30/hr.,
Jacob Edington, Cameron North, at \$8.75/hr (as an alternate)

Workshop Topic

Joint session on Special-Use and Business-Use Permits with Planning Board

Planning Board Chairman Brian Martin explained the difference between special-use business and business permit and that an application be needed for all businesses in the town. A business permit is for businesses zoned correctly and a special use application is used when the property is not zoned correctly to have a business in it. Code enforcement officer Degman said by law all businesses have to be inspected every three years and fees should cover the cost of it being done. Councilman Vogtli asks how many other towns charge for and even have business permits. Mr. Degman said the State requires three or more living units in a building has to be inspected. We need to have the definition of businesses first, so we know what business would be included. Assessor Ebersole can get a list of multiple dwellings and owners that do not occupy the property.

Discussion was also held on the zoning map, signs and dog fostering. After discussion on the dog fostering, everyone decided on not implementing any. The Planning Board would like to see a Kennel Permit for a Kennel and have a multiple number of dogs permit.

Councilman Martin gave an update on the Town Code Book.

Lois Johnson asked about having a court outside to play pickle ball.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Clark the meeting was adjourned at 9:28 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 5th day of May 2014.

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

Others Present: Laura Landers of Freed Maxick CPA; Dr. Paul Connelly Superintendent of Springville GI School District; Gene Degman and Charles Siegle Code Enforcement Officers; Lois Johnson; Dick Agle, Planning Board; Margaret Degenfelder; Richard Westlund, 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 and a moment of silence for Daniel R. Gernatt Sr., who passed away May 5, 2014.

RESOLUTION # 123: AGENDA APPROVAL

Motion made by Councilman Clark seconded by Councilman Vogtli to approve the agenda as amended.

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

RESOLUTION # 124: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the Monday, April 21st town board meeting as presented.

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

RESOLUTION # 125: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #9 for 2014 dated May 5, 2014, vouchers # 270 - 306 for \$ 113,326.18

General – Town Wide	16,576.97	Water District #1	24,268.29
Highway	7,081.02	Water District #3	13,783.70
Library Fund	41,500.00	Water District #4	0.82
Helmuth Fire Control Fund	10,050.00	Total	\$ 113,326.18
Special Refuse Fund	65.38		

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

Presentation – Laura Landers of Freed Maxick CPA's – 2013 Annual Financial Report Update - Ms. Landers went through the fund balances and financial report. The town is in good shape and we have good reserves. The supervisor or deputy supervisor in the future has to review and sign off on all journal entries. The judges and clerk reports will be forthcoming.

Presentation – Dr. Paul Connelly, Superintendent of Springville Griffith Institute School District spoke on the 2014 – 2015 recommended school budget.

Departmental Reports

Assessor Ebersole did the assessment roll.

Code Enforcement Officers presented their April monthly report.

Highway Department report from Supervisor Tessmer – a letter was received from the DEC about cleaning out the oil separator and have to develop a maintenance log for cleaning the floor drain. Mr. Tessmer spoke with Superintendent Jensen regarding the garbage bin repair program.

Parks and Recreation did not have a meeting this month as interviews were held. The next meeting is this Thursday.

Town Clerk reported April sales of \$ 5,366.45 with the towns' portion \$ 4,956.69. Tax penalties of \$2,278.80 were turned over to the Supervisor. Total tax amount unpaid \$ 225,892.62 with a total of \$2,266,686.16 in taxes have been collected.

Water Department – Supervisor Tessmer reported on the gallons of water pumped last month; that Justin Wallschlaeger is continuing training; that the meters were read and the chlorine system is being upgraded, spring cleaning and painting is being done. 252,000 gallons of water have been pumped to the prison and billed for.

Board Reports

Councilman Vogtli attended the parks and recreation interviews.

Councilman Martin attended the Helmuth and building committee meetings and reviewed the vouchers.

Councilman Stelley attended the liberty fest meeting, updated the website and reviewed the vouchers.

Councilman Clark attended the parks and recreation interviews and the liberty fest meeting.

Supervisor Tessmer attended the building committee meeting; met with Tom Herrington of Hillview Ave on his drainage problem. The Soil and Water Conservation group will work with the Herrington's. Sent a letter to DOT on potholes in Collins Center; met the Nick Hodak of the little league; met with Superintendent Jensen on the ball diamond and the park shelter; Industrial Appraisals have completed the town's inventory of assets. The culvert on Luther Gulf Road is completely in the Town of North Collins and would be up to them to repair.

New Business

1. Resolution declaring May 4 – 10, 2014 as Municipal Clerks Week

RESOLUTION # 126: **DECLARE MAY 4-10, 2014 AS MUNICIPAL CLERKS WEEK**

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli that the following is:

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

Nay

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, provincial, county, and international professional organizations, and

WHEREAS, it is most 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 4-10, 2014, 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 exemplary dedication to the communities they represent.

2. Resolution to authorize Supervisor to sign NYSDOT highway work permit

RESOLUTION # 127: **AUTHORIZE SUPERVISOR TO SIGN WORK PERMIT AGREEMENT WITH NYSDOT**

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

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

Nay 0

WHEREAS, during a recent water project that involved work within the NYSDOT highway right-of-way it was determined that the Town of Collins Water Department is required to obtain a permit to complete such work, and

WHEREAS, the NYSDOT provided us with the proper documents to comply with their permitting process, and

WHEREAS, entering into this Agreement with the NYSDOT will eliminate the need to provide them with annual certificates of insurance to complete utility work within NYSDOT highway rights-of-way.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the Agreement with the NYSDOT to complete Water Department utility work within their rights-of-way.

RESOLUTION # 128: **ENTER INTO EXECUTIVE SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Martin that the Board moves into an executive session at 8:11 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

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

Nay 0

RESOLUTION # 129: **RETURN TO REGULAR SESSION**

Motion made by Supervisor Tessmer seconded by Councilman Martin that the Board returns to regular session at 9:07 PM.

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

Nay 0

RESOLUTION # 130: **HIRE PART TIME SENIOR RECREATION ATTENDANT**

Motion made by Supervisor Tessmer seconded by Councilman Vogtli that the following resolution is:

ADOPTED Aye 3 Vogtli, Martin, Tessmer

Nay 2 Stelley, Clark

WHEREAS, the Town of Collins wishes to fill a vacancy in the Senior Recreation program due to the retirement of Joan Byrne on June 14, 2014, and

WHEREAS, the town advertised to fill the position and interviewed candidates, and

WHEREAS, it was determined in discussion after the interviews that this resident has adequate qualifications to fill this position.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins appoints Scott Martindale to the position of Recreation Attendant PT – with supervisory authority, at a rate of pay of \$ 11.93 per hour, with a probationary period of 180 days, effective May 11, 2014.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Stelley the meeting was adjourned at 9:25 pm in memory of Daniel R. Gernatt, Sr.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 19th day of May 2014.

Present: David Tessmer, Supervisor
 Mary Stelley, Councilman
 Mary Clark, Councilman
 Janet Vogtli, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Susan Gamel, Budget Officer

Others Present: Doug Martindale; Scott Martindale; Hazen Emery; Mark Burr; Walter Cain; Lois and Dave Johnson; Margaret Degenfelder; Jerry Swanson; Kurt Simms; Charles Summers; Rich Mentley; Jen and Nick Gernatt; Bill Wynt; Patrick Knowles; Karl Simmeth NYS Assembly; Brian Gernatt; Katherine Micks; Elliott Tessmer; Sue Gamel; Denny Luther; and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 131: AGENDA APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Clark to approve the agenda as amended by adding brief discussion of the ball diamonds under new business.

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

RESOLUTION # 132: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Vogtli to approve the minutes of the Monday, May 5th town board meeting as presented.

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

RESOLUTION # 133: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #10 for 2014 dated May 19, 2014, vouchers # 307 - 352 for \$ 47,214.44

General – Town Wide	23,877.17	Special Refuse Fund	1,717.42
General –Part Town	716.66	Water District #1	2,483.96
Highway	13,496.09	Water District #3	479.32
LKPCC	3,434.50	Water District #4	11.80
Special Lighting	997.52	Total	\$ 47,214.44

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

Presentation – Mark Burr – Hollywood Theatre grant support

Mr. Burr described the continuing \$ 4.5m restoration plan for the theatre. They have raised over \$ 3.5m and spent just over \$ 3m so far and are approximately 80% complete. They are asking for a letter of support for the next round of grant applications that are due the middle of June.

Karl Simmeth, our community liaison with NYS Assemblyman David DiPietro's office asked if there were any questions or issues he could help with and then read a citation for municipal clerks' week from Mr. DePietro for town clerk Becky Jo Summers.

Old Business

1. Resolution to accept 2013 Audit

RESOLUTION # 134: ACCEPT AUDITORS 2013 REPORT

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

ADOPTED Aye 5 Vogtli, Martin, Stelley, 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 2013, and presented their findings on May 5, 2014.

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, 2013, prepared by Freed Maxick CPA's P. C.

2. Resolution to relocate VA offices in LKPCC

RESOLUTION # 135: **RELOCATE VA OFFICES IN L.K. PAINTER COMMUNITY CENTER**

Motion made by Supervisor Tessmer seconded by Councilman Vogtli that the following resolution is:

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

WHEREAS, The Town of Collins operates and maintains the L. K. Painter Community Center for its programs, and for use by those of the surrounding community, and

WHEREAS, the Town Board wishes to accommodate as many groups as possible through the best allocation of space within the L. K. Painter Community Center, and

WHEREAS, the Building Committee recommends keeping the Community Room open to use by multiple groups and organizations, moving the Veterans Affairs office to the existing Lounge Room, and relocating the Youth Recreation Lounge Room to the second floor rooms dedicated to Youth programs.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves moving the VA offices from the second floor into the existing first floor Lounge Room, relocating the Youth Recreation Lounge to rooms on the second floor, assisting with cost and manpower to move these programs, and that preparations begin immediately so the majority of the move can be completed by July 1, 2014.

3. Resolution to appoint Recreation staff

RESOLUTION # 136: **TO HIRE 2014 SUMMER RECREATION WORKERS**

Motion made by Councilman Clark seconded by Councilman Vogtli that the following resolution is:

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

WHEREAS, the Town of Collins operates a Summer Recreation program, and

WHEREAS, the Town wishes to fill two additional positions necessary for this program, and

WHEREAS, the Town advertised for the positions, and the Recreation Committee interviewed applicants.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Collins follow the recommendations of the Recreation Committee, and hire the following three additional applicants for the 2014 summer program as counselors: Erin Kwiatkowski, Matthew Minnick and Justin Sowa, (as alternate) all at \$8.75 per hour.

New Business

Discussion on past due water bills – Councilman Vogtli stated our code book states requirements for shutting off water for non-payment of the bill. Erie County makes the town whole in regards to

the town receiving the complete tax warrant due the town. Our water code states if a water rental is not paid by 60 days, a notice that the payment is in default and if not paid within 15 days service will be discontinued unless a hearing is requested. If notice was given out a number of people may start paying. An ad can be put in the penny saver, be put on the website and printed on the bills.

Discussion on ball diamonds

Councilman Stelley received an email about the condition of the ball diamonds that they were not being properly maintained and maybe get a group of informed people together to work on it. (Town crews did work last week.) Councilman Vogtli said the little league takes care of the diamond at the VFW and she will check into this. Supervisor Tessmer suggests we partner with the Gowanda Little League as we are not doing the work to their satisfaction. A few people stated when they coached a team; they took care of the diamond. Supervisor Tessmer will call the president of the Little League.

Workshop Topic: Town Vouchers – policies and procedures

Supervisor Tessmer handed out a voucher procedure packet and explained how vouchers are to be filled in and submitted for payment.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Clark the meeting was adjourned at 8:08 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 2nd day of June 2014.

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

Others Present: Gene Degman and Charles Siegle CEO's; Dennis Jensen Highway Superintendent; Lois Johnson; Dick Agle; N. Hodak; Dick Clark; Richard Westlund, 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 # 137: AGENDA APPROVAL

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

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

RESOLUTION # 138: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Supervisor Tessmer to approve the minutes of the Monday, May 19th town board meeting as presented.

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

RESOLUTION # 139: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #11 for 2014 dated June 2, 2014, vouchers # 353 - 369 for \$ 14,725.72:

General – Town Wide	6,757.89	Water District #1	91.36
General –Part Town	1,477.61	Water District #3	27.41
LKPCC	6,188.85	Water District #4	0.83
Special Refuse	181.77	Total	\$ 14,725.72

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

Public Access

Lois Johnson reported that the new senior exercise program is being well received. Mrs. Johnson has brought in a few flags that came off the poles on Main Street and asks that something be done so they do not come out of the brackets.

Department Reports

Attorney Musacchio went over the exercise program agreement and said it is alright to use and looked into the water shut-off policy.

Code Enforcement Officers submitted their monthly report. Councilman Vogtli asked about the cell tower lease on Vail Road. Charlie Siegle stated it was grandfathered in where there is no lease payment. Councilman Martin stated a three-year renewal is in the town code.

Highway Superintendent reported they are getting ready to do the concrete work at the new park shelter, skid paving, and then blacktopping, the separator tank has been pumped out. Trash day saw four full bins and more still to be hauled away. Approximately 370 vehicles used the station on Saturday. The highway crew helped move recreation upstairs in the LKP and they are trying to keep up with the ball diamonds. The sinkhole has been filled in.

Town Clerk Summers reported \$5,749.85 in May sales with the town's amount \$5,442.23. Tax penalties totaling \$6,999.68 has been turned over to the supervisor and the unpaid tax warrant amount is \$212,371.90.

Water Department report given by Supervisor Tessmer that the chlorination project is continuing, there is a communication issue between the tank and the pump house, work is being done in the maintenance building, updating the call before dig process, painting and driveway repairs are being done and training is continuing.

Board Reports

Councilman Vogtli met with Dennis Jensen, Highway Superintendent and Mark Mangano who is in charge of the beautification.

Councilman Martin attended the building committee meeting and reviewed the vouchers.

Councilman Stelley reviewed the vouchers, attended the planning board meeting and updated the website.

Councilman Clark attended the liberty fest meeting. The Miss Liberty contest has been cancelled. Mrs. Clark did a press release for the fest and spoke with Matt from Alden Pools and Play for specs on park equipment.

Supervisor Tessmer reported the basement room in the town hall has been completed, spoke with Ralph Swanson of Community bank and moved CD's to money market accounts, will purchase two new copiers – one for the clerk's office, one for the break room and the old one will be put downstairs and has been in contact with Nixon Peabody on the cell tower special use permits. There has been vandalism at the Collins Park and Mr. Tessmer has filed a report with the State Police covering survey pins and signs were pulled up, damage was done to the storage shed and some items were stolen.

All attended the Memorial Day Parade in Collins Center and Dick and Mary Clark were thanked for the use of their horses and wagon.

Old Business

1. Resolution to advertise for a transfer station attendant

RESOLUTION # 140: **ADVERTISE FOR TRANSFER STATION ATTENDANT**

Motion made by Supervisor Tessmer seconded by Councilman Vogtli to advertise in the Gowanda News the weeks of June 7, and June 14, 2014 for a part-time transfer station attendant, with applications due to Town Clerk by 4:00 PM on June 20, 2014.

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

Nay 0

2. Approve Helmuth purchase of recording system – no information was received from North Collins regarding the purchase of the system.

New Business

1. Resolution to accept January and February 2014 Supervisors Reports

RESOLUTION # 141: **ACCEPT JANUARY AND FEBRUARY 2014 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 January and February 2014.

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

Nay 0

2. Resolution to set public hearing date for Verizon Special Use Permits

RESOLUTION # 142: **SET PUBLIC HEARING ON VERIZON CELL TOWER SPECIAL-USE PERMITS**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to set a Public Hearing on the Verizon Cell Tower special-use permits for July 14, 2014, at 7:30 PM, and authorize a notice of public hearing to be placed in the Dunkirk Observer Wednesday, June 4, 2014, as follows:

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

Nay 0

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing under

Section 30.65 "Telecommunications Towers" of the Town of Collins Municipal Code for the following:

Proposed "Collins" Tower – Taylor Hollow Road Tax Parcel 341.00-1-32.1

Proposed "Collins Center" Tower – Collins Center Zoar Road Tax Parcels 343.00-2-16.1/343.00-2-21.22

A Public Hearing will be held on **Monday, July 14, 2014 at 7:30 p.m.** at the Town Hall, 14093 Mill Street, Collins, New York. The Town Board may, under Section 30.65 "Telecommunications Towers" of the Town of Collins Municipal Code, impose conditions and restrictions upon said Telecommunications Tower Special Use Permits.

3. Resolution supporting Hollywood Theatre grant application

RESOLUTION # 143: **SUPPORTING GOWANDA'S HOLLYWOOD THEATER GRANT APPLICATION**

Motion made by Supervisor Tessmer seconded by Councilman Vogtli that the following resolution is:

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

 Nay 0

WHEREAS, Gowanda's Historic Hollywood Theater, Ltd. Is applying for a grant to the New York State Office of Parks, Recreation, and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, and

WHEREAS, a requirement under the rules of this program dictates that Gowanda's Historic Hollywood Theater must obtain the approval/endorsement of the governing body of the municipality in which the project is located, and

WHEREAS, local and county studies conducted over the past several years have concluded that the Hollywood Theater is a key element to the preservation and enhancement of the historic district and is expected to create jobs and enhance cultural tourism.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board supports the application by Gowanda's Historic Hollywood Theater for the continued restoration of the Hollywood Theater.

4. Resolution authorizing Supervisor to sign Village of Gowanda's Lead Agency request

RESOLUTION # 144: **AUTHORIZE SUPERVISOR TO SIGN LETTER TO GOWANDA REGARDING LEAD AGENCY STATUS**

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

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

 Nay 0

WHEREAS, the Village of Gowanda is proposing amendments to Chapter 30, 31, and 34 of the Village of Gowanda Municipal Code, and

WHEREAS, as part of the SEQR process, the Village is requesting Lead Agency status, and has asked the surrounding communities to concur.

NOW THEREFORE BE IT RESOLVED that the Collins Town Board authorizes the Supervisor to sign the letter from Gowanda agreeing with their Lead Agency Request for their Municipal Code amendment project.

With no further business, on a motion of Councilman Clark, seconded by Councilman Vogtli the meeting was adjourned at 8:20 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 16th day of June 2014.

Present: Mary Clark, Councilman Kenneth Martin, Councilman
 Mary Stelley, Councilman Becky Jo Summers, Town Clerk
 Janet Vogtli, Councilman Attorney James Musacchio

Absent: David Tessmer, Supervisor

Others Present: Lois Johnson; Richard Westlund, reporter Gowanda Penny Saver News and Samantha McDonnell, reporter, Observer

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

RESOLUTION # 145: AGENDA APPROVAL

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

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark
 Nay 0

RESOLUTION # 146: MINUTES APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Martin to approve the minutes of the Monday, June 2nd town board meeting as presented.

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark
 Nay 0

RESOLUTION # 147: ABSTRACT APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Stelley that the bills be paid on abstract #12 for 2014 dated June 16, 2014, vouchers # 370 – 409 for \$ 19,842.66:

General – Town Wide	8,175.32	Water District #1	458.22
General –Part Town	1,692.01	Water District #3	140.51
Highway	7,251.82	Water District #4	12.22
Special Lighting	915.05	Total	\$ 19,842.66
Special Refuse	1,197.51		

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark
 Nay 0

Old Business

1. Resolution to appoint Board of Assessment Review clerk

RESOLUTION # 148: APPOINT BAR CLERK FOR GRIEVANCE DAY

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

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark
 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 but has since resigned from the position.

NOW THEREFORE, BE IT RESOLVED that the Town of Collins hires Heidi Kibler of 2136 Shirley Road, North Collins, New York 14111, to serve as BAR Clerk, for a flat rate fee of \$50.00 per meeting.

2. Discussion on Helmuth Dispatch call recording system – Councilman Martin spoke with North Collins Supervisor that we have to sign a form regarding the recording system. Options to dispatch were discussed. Councilman Vogtli suggests we look into other options to get pricing and send a

letter to Commissioner Neverath. The next year that the system is updated could cost \$20,000.00 to update.

3. Industrial Appraisal has completed update of Town property and spreadsheets were forwarded to our accountant and insurance agency. A few items were questioned and they will be checked out.

4. 2013 audits of Town Clerk and Town Justices have been completed.

New Business

1. Resolution to accept Supervisor's reports for March and April 2014

RESOLUTION # 149: **ACCEPT MARCH AND APRIL 2014 SUPERVISORS REPORTS**

Motion made by Councilman Vogtli and seconded by Councilman Stelley to accept the Town of Collins Supervisor's Report as submitted, for the months of March and April 2014.

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark

Nay 0

2. Thatcher Brook / Grannis Brook Watershed Plan – Supervisor Tessmer handed out a plan that the board can read for input at our next meeting.

Councilman Vogtli met with the Parks and Recreation Committee – they are requesting an additional employee. Councilman Clark stated an attendant was hired as an alternate and they can use that person and see how things work out. Councilmen Clark and Stelley will take turns attending the Parks and Recreation meetings.

Executive Session

RESOLUTION # 150: **ENTER INTO EXECUTIVE SESSION**

Motion made by Councilman Vogtli seconded by Councilman Clark that the Board moves into an executive session at 7:35 PM to discuss the medical, financial, credit or employment history of a particular person or corporation.

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark

Nay 0

RESOLUTION # 151: **RETURN TO REGULAR SESSION**

Motion made by Councilman Stelley seconded by Councilman Martin that the Board returns to regular session at 8:00 PM.

ADOPTED Aye 4 Vogtli, Martin, Stelley, Clark

Nay 0

Workshop topic: update on 2014 Goals and Objectives

Councilman Clark went through Supervisor Tessmer's list and then the board discussed the transfer station trash day analysis.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Martin the meeting was adjourned at 8:15 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 14th day of July 2014.

Present: David Tessmer, Supervisor
Mary Stelley, Councilman
Janet Vogtli, Councilman
Mary Clark, Councilman
Kenneth Martin, Councilman
Becky Jo Summers, Town Clerk
Sue Gamel, Budget Officer

Others Present: John Mills EC Legislator; Scott Martindale; John Engelbert, Sarah McAndrew, Tom Erwin, Theresa Reed of Verizon Wireless; Jared Lusk, Nixon Peabody; Sal Dicembre; Karl Simmeth NYS Assembly; Karen McClure; Dan Gernatt Jr; Rob Gaylord and Richard Westlund, reporter Gowanda Penny Saver News

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

RESOLUTION # 152: AGENDA APPROVAL

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

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

RESOLUTION # 153: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Vogtli to approve the minutes of the Monday, June 16th town board meeting as presented.

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

RESOLUTION # 154: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Vogtli that the bills be paid on abstract #13 for 2014 dated July 14, 2014, vouchers # 410 – 506 for \$ 49,025.16:

General – Town Wide	19,169.59	Special Refuse	1,789.24
General –Part Town	9,784.15	Water District #1	2,313.08
Highway	11,317.01	Water District #3	559.05
LKPCC - Renovations	812.00	Water District #4	<u>2,524.59</u>
Special Lighting	756.45	Total	\$ 49,025.16

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

Public Access

Scott Martindale asked of the status of a request of speed reduction on Main Street from Bagdad Road to Route 62. It had been submitted and not heard back yet.

Erie County Legislature Chairman John Mills gave an update of what the legislature has been doing and the hard time of getting all county roads fixed.

Karl Simmeth from State Assemblyman David DiPietro's office gave an update.

Department Reports

Code Enforcement Officer Degman submitted his monthly report.

Highway Superintendent Jensen reported oil and chipping has been done; the concrete in the new park pavilion has been completed by a joint effort.

Public Hearing – 7:30 PM on Verizon Cell Tower Special-Use Permits

RESOLUTION #155: MOVE TO SCHEDULED PUBLIC HEARING ON VERIZON CELL TOWER SPECIAL-USE PERMITS

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli to interrupt Board meeting to conduct a Public Hearing advertised and scheduled on the Verizon Cell Tower special-use permits for this evening at 7:30 PM

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

Supervisor Tessmer read the notice of public hearing and then turned the hearing over to Jared Lusk of Nixon Peabody LLP, Attorneys at Law representing Upstate Cellular Network d/b/a Verizon Wireless. An application has been submitted for a Special Use Permit to provide adequate wireless telecommunications service in and around the Town of Collins. Two cell towers would be constructed.

Mr. Lusk described the spotty coverage around town, explained the two different sites and why they were chosen. Drawings were shown of both sites.

Comments were asked from the audience.

Rob Gaylord asked if the water stand pipes could be used – they are not in a useable area.

Jim McLean asked what is driving the need for more towers – more and better coverage.

Jackie McLean said they have not had any dropped calls.

Becky Summers said they get poor reception and lose calls.

With no one else wishing to comment the hearing was closed.

RESOLUTION #156: MOVE TO CLOSE PUBLIC HEARING ON VERIZON CELL TOWER SPECIAL-USE PERMITS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to close the Public Hearing on Verizon Cell Tower special-use permits at 7:55 PM.

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

RESOLUTION #157: APPROVE VERIZON CELL TOWER SPECIAL-USE PERMITS

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli that the following resolution is

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

WHEREAS, Upstate Cellular Network, d/b/a/ Verizon Wireless, submitted an application for a special-use permit to construct and operate a 195-foot wireless telecommunications facility on Taylor Hollow Road (on Tax Parcel 341.00-1-32.1), and

WHEREAS, the application was referred to the Planning Board for review and recommendation, and

WHEREAS, the Planning Board reviewed the application, and Upstate Cellular Network and it's representatives attended a Planning Board meeting to address issues on May 20, 2014, and

WHEREAS, the Town of Collins Planning Board recommended the approval of the Special Use Permit for the proposed facility, and

WHEREAS, the application was referred to the Erie County Department of Environment and Planning, and the Seneca Nation, in April 2014, and no comments were received.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board issue a SEQR Negative Declaration and approve the Special Use Permit for the proposed wireless telecommunications facility on Taylor Hollow Road, and

BE IT FURTHER RESOLVED, that this approval is contingent upon the receipt of bonding in the amount of \$43,750.00 to cover the cost of demolition of the facility if the applicant fails to do so within the timeframe specified in Town of Collins Municipal Code, Section 30.65, Paragraph 8.

RESOLUTION #158: **APPROVE VERIZON CELL TOWER SPECIAL-USE PERMITS**

Motion made by Councilman Clark and seconded by Councilman Martin that the following resolution is

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

WHEREAS, Upstate Cellular Network, d/b/a/ Verizon Wireless, submitted an application for a special-use permit to construct and operate a 195-foot wireless telecommunications facility on Collins Center Zoar Road (on Tax Parcel No. 343.00-2-16.1 and accessed through Tax Parcel 343.00-2-21.22), and

WHEREAS, the application was referred to the Planning Board for review and recommendation, and

WHEREAS, the Planning Board reviewed the application, and Upstate Cellular Network and its representatives attended a Planning Board meeting to address issues on May 20, 2014, and

WHEREAS, the Town of Collins Planning Board recommended the approval of the Special Use Permit for the proposed facility, and

WHEREAS, the application was referred to the Erie County Department of Environment and Planning, and the Seneca Nation, in April 2014, and no comments were received.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board issue a SEQR Negative Declaration and approve the Special Use Permit for the proposed wireless telecommunications facility on Collins Center Zoar Road, and

BE IT FURTHER RESOLVED, that this approval is contingent upon the receipt of bonding in the amount of \$43,750.00 to cover the cost of demolition of the facility if the applicant fails to do so within the timeframe specified in Town of Collins Municipal Code, Section 30.65, Paragraph 8.

Presentation by Rob Gaylord on behalf of Collins Library - Mr. Gaylord explained the irrevocable funds agreement (Mary Riggs) the Library has with Andrew Card. These funds were invested and the Central Library said they could not be handled this way. The Library has been looking into having the fund administered by the Community Foundation.

Mr. Gaylord asks the town authorize the town attorney help put together a petition to the court to authorize setting up this transfer to the foundation. Councilman Vogtli suggests talking with the attorney first.

Department Reports – (cont'd)

Parks and Recreation – Jeff Johnson stated the extra person is working very well but they have issues with the front door open.

Town Clerk reported sales of \$ 8,049.67 with the town's portion \$ 7,386.90.

Water Department pumping figures and outside sales were reported; two violations on the electric in the water garage were fixed; water billing this quarter had issues and the due date has been extended to August 15th; clean-up of the water garage is on-going and Matt Wurst thanks all who helped with the concrete for the park pavilion.

Board Reports

Councilman Vogtli thanked all who worked on the Liberty Fest.

Councilman Martin attended the building committee meeting; sent more information to General Code and is getting ready to send the analysis out; reviewed the vouchers and attended the Helmut meeting.

Councilman Stelley updated the website and reviewed the vouchers.

Councilman Clark worked on the liberty fest and received a few calls from residents.

Supervisor Tessmer went to the liberty fest; sent out request for parking lot seal and stripe bids; attended Southtowns Coalition meeting; thanked Matt and Kevin Wurst for donating a handicap table for the new pavilion; heard from DOT on the water project – they have finally secured authorization from NYS for the road crossing and will follow up on the PESH inspection.

Old Business

1. Thanks to all who helped with 4th annual Liberty Fest

2. Resolution to approve purchase of Recording System by Helmuth Control – paperwork arrived at 6:30 pm this evening and was the same as before. No action was taken.

New Business

1. Resolution to accept Supervisor's reports for May 2014

RESOLUTION # 159: **ACCEPT MAY 2014 SUPERVISORS REPORT**

Motion made by Councilman Vogtli and seconded by Councilman Clark to accept the Town of Collins Supervisor's Report as submitted, for the month of May 2014.

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

Nay 0

2. Resolution to accept Town Justices 2013 Financial Audit

RESOLUTION #160: **ACCEPT TOWN JUSTICES 2013 AUDIT REPORT**

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

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

Nay 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 Walter Cain and the late Norman Peters have been audited and that the Town Board hereby accepts the audit report for the year 2013, as prepared by Freed Maxick CPA's.

3. Discussion on Playground equipment at Collins Town Park – the EC Water Authority has access to a group of vendors approved for municipal contracts.

4. Discussion on Custodial / Buildings & Grounds position – Scott Martindale has resigned effective August 29, 2014.

5. Resolution to advertise for part-time Custodian

RESOLUTION #161: **ADVERTISE FOR APPLICATIONS FOR A PART-TIME CUSTODIAN POSITION**

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

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

Nay 0

WHEREAS, due to the upcoming opening for the position of part-time custodian, and the necessity to fill the position to ensure the proper maintenance of our buildings, and

WHEREAS, it is in the Town's best interest to fill this position expeditiously.

NOW THEREFORE, BE IT RESOLVED that an advertisement be placed in the Gowanda News and Springville Journal, the week of July 21, 2014, for the position of part time custodian, with applications to be received at the Town Clerk's office by August 1, 2014, at 4:00 PM

With no further business, on a motion of Councilman Clark, seconded by Councilman Vogtli the meeting was adjourned at 9:07 pm.

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 11th day of August 2014.

Present: David Tessmer, Supervisor
 Janet Vogtli, Councilman
 Mary Clark, Councilman
 Kenneth Martin, Councilman
 Becky Jo Summers, Town Clerk
 Sue Gamel, Budget Officer
 James Musacchio, Attorney (8:12)

Absent: Mary Stelley, Councilman

Others Present: Mark and Faith Hoffman; Lois Johnson; Doug Martindale; Thomas Wilder; Richard Westlund, 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 # 162: AGENDA APPROVAL

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

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

RESOLUTION # 163: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Clark to approve the minutes of the Monday, July 14th town board meeting as modified.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

Resolution to adopt 2014 Budget modifications

RESOLUTION # 164: APPROVE 2014 BUDGET MODIFICATIONS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to approve the following 2014 Budget Modifications:

Increase Revenue Line	DB3501 Consolidated Highway Aid by \$22,374.31	to \$74,150.53
Increase Expenditures Line	DB5112.200 Hwy Part Town CHIPS by \$22,674.31	to \$74,150.53

To recognize additional \$7,889.42 in *Extreme Winter Recovery Appropriation* CHIPS Money for 2014 and adjust original budget to correct CHIPS appropriation for 2014.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

RESOLUTION # 165: ABSTRACT APPROVAL

Motion made by Councilman Clark seconded by Councilman Vogtli that the bills be paid on abstract #14 for 2014 dated August 11, 2014, vouchers # 507 – 569 for \$ 139,175.94:

General – Town Wide	12,869.26	Water District #1	2,723.69
General –Part Town	3,969.03	Water District #3	702.32
Highway	115,297.52	Water District #4	<u>24.25</u>
Special Lighting	911.07	Total	\$ 139,175.94
Special Refuse	2,678.80		

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

Public Access

1. Mark Hoffman of Buffalo Street voiced his concerns of the Collins Correctional shooting range where AR15's are being discharged into a pile of dirt approximately 8 feet high in the direction of the Village of Gowanda. He has received conflicting information that they will not use the area until it has been brought up to safety standards and they are going to continue using it. Mr.

Hoffman has gone there to see where they are firing and has been threatened if he comes back on state property, he will be detained. Councilman Vogtli has been in contact with Senator Gallivan's office and has gone to the facility to see the area and was threatened by CO's if she took pictures. Mrs. Vogtli is requesting a meeting with both superintendents, the advisory board, the community and the town. Supervisor Tessmer will request a meeting.

2. Faith Hoffman of Buffalo Street has a drainage issue at the end of her driveway and doesn't want it to turn into a safety issue this winter. Highway Superintendent Jensen will look into it.

Department Reports

Assessor Ebersole's report was handed out.

Code Enforcement Officer Degman submitted his monthly report. Councilman Vogtli asked about two vacant properties on Bagdad Road.

Dog Control Officer Dankert submitted her second quarter report.

Highway Superintendent Jensen reported they helped North Collins highway department pave; installed pipes at Lillie's and on North Division Street and will attach reflective material to sign posts. A new roof was put on the transfer station building and items found in the PESH inspection were fixed. Bleachers were put up in Collins Center, the Collins playground equipment was painted and part of the walkway was sealed.

Town Clerk reported sales of \$ 6,574.75 with the town's portion \$ 6,375.89.

Water Department report covered gallons pumped, bulk sales and repairs. Water flushing will begin in Collins on August 18th and Collins Center on August 21st. Councilman Vogtli asked about the water kept running on Flavia Circle. With the new house going up will the water continue to run or can it be shut off? Supervisor Tessmer will talk with Matt Wurst about it.

Board Reports

Councilman Vogtli has met with the Town of Evans and with Springville dispatching for information and pricing and attended John Mills hot dog roast benefit for the library;

Councilman Martin reviewed the vouchers; attended John Mills hot dog roast benefit for the library; attended the Helmuth Advisory meeting and worked on the Code Book.

Councilman Stelley attended Parks and Recreation meeting; set up and participated in interviews of three applicants for custodian position; attended John Mills hot dog roast benefit for the library; updated the website and reviewed the vouchers.

Councilman Clark participated in interviews of three applicants for custodian and wrote the resolution; put the liberty fest thank you ad in the penny saver and compiles the financial report.

Supervisor Tessmer spoke with Gowanda Mayor McKeever and Trustee Scheibley regarding the fire protection contract that we should have within a few weeks; followed up on complaints at LKPC and the ongoing vandalism; drafted duties for custodian; sent a letter to North Collins regarding Luther Gulf Road and attended John Mills' hot dog roast benefit for the library. Anne Cooper, our insurance representative was in last week explaining our health insurance rates will be lower than last year.

Executive Session – to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal

RESOLUTION # 166: ENTER INTO EXECUTIVE SESSION

Motion made by Supervisor Tessmer seconded by Councilman Vogtli that the Board moves into an executive session at 8:08 PM to discuss the employment history of a particular person/persons relating to the appointment, promotion, demotion, discipline or removal.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

RESOLUTION # 167: RETURN TO REGULAR SESSION

Motion made by Supervisor Tessmer seconded by Councilman Clark that the Board returns to regular session at 8:30 PM.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

Old Business

1. Resolution to accept Scott Martindale's resignation as Custodian

RESOLUTION # 168: **ACCEPT SCOTT MARTINDALE'S RESIGNATION AS CUSTODIAN**

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli to accept with regret the resignation of Scott Martindale as Custodian, effective August 29, 2014.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

2. Resolution to appoint Custodian

RESOLUTION # 169: **APPOINT CUSTODIAN**

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

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

WHEREAS, the Town of Collins requires custodial services to maintain its buildings, and

WHEREAS, the current Custodian has submitted his resignation, so the Town advertised to fill the position, and

WHEREAS, in response to this ad, the Town received 3 applications, two of which were Town of Collins residents, and

WHEREAS, the Personnel Committee has interviewed all three applicants and found all to be qualified to fill the position, and

WHEREAS, it was determined that there are occasions when the Town has a need for someone to fill in for the permanent Custodian.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins appoints Rhiannon Starks to the position of Custodian, 19.5 hours/week, at a rate of pay of \$10.20/hour, with a probationary period of 90 days, effective August 28, 2014, and that James Smith be appointed as an alternate, to fill in as necessary, at a rate of pay of \$10.20/hour effective August 28, 2014.

3. Resolution authorizing Supervisor to send letter to Helmuth JSA member communities

RESOLUTION # 170: **AUTHORIZE SUPERVISOR TO SEND LETTER OF INTENT TO HELMUTH MEMBER COMMUNITIES**

Motion made by Councilman Vogtli and seconded by Councilman Martin to authorize the Supervisor to sign and send a letter to the Helmuth Joint Service Agreement member communities advising them of our intent to explore other options available for dispatch service.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

4. Continued vandalism at Collins Town Park – The water fountain was overturned. A police report was filed adding this to the previous vandalism.

New Business

1. Resolution to accept Jeff Johnson's resignation as Youth Recreation Director

RESOLUTION # 171: **ACCEPT JEFF JOHNSON'S RESIGNATION AS YOUTH RECREATION DIRECTOR**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to accept with regret the resignation of Jeff Johnson as Youth Recreation Director, effective August 22, 2014.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

2. Resolution to eliminate Parks & Recreation Advisory Committee

RESOLUTION # 172: **APPROVE ELIMINATION OF PARKS & RECREATION ADVISORY COMMITTEE**

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

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

WHEREAS, the Town currently has positions on the Town's 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.

NOW, THEREFORE BE IT RESOLVED, that effective August 11, 2014, 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.

3. Resolution to accept Supervisors Reports for June 2014

RESOLUTION #173: **ACCEPT JUNE 2014 SUPERVISORS REPORTS**

Motion made by Councilman Martin and seconded by Councilman Vogtli to accept the Town of Collins Supervisor's Report as submitted, for the month of June 2014.

ADOPTED Aye 4 Vogtli, Martin, Clark, Tessmer
 Nay 0

4. Damage to Library walkway has been done by oil/fluid leaking from a vehicle. Someone has been driving on the paved walkway up to the book drop box and has been parking straddling the curb. Supervisor Tessmer has called our insurance company and Galle Memorial (who installed the walkway) for a report of damage. Doug Martindale has spent hours scrubbing the bricks with industrial degreaser. It looks a lot better but the stain is in the pores of the bricks. The Librarian would like concrete planters put out in front. The Board discussed a few different options.

5. 2015 Budget requests will be out this week

Dough Martindale updated the board on the progress in the new LKPCC VA room. Carpet will be installed August 21st then non-essential items will be moved. Coordination of help to move the big items will be set up.

With no further business, on a motion of Councilman Martin, seconded by Councilman Vogtli 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, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Tuesday, the 2nd day of September 2014.

Present: David Tessmer, Supervisor
 Janet Vogtli, 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 Clark; Jeanne Ebersole, Assessor; Wayne Harvey; Margaret Degenfelder; James Eddy; Bill Parker; Jim Heintz; Eric Strickfaden; Tom Flynn; Richard Westlund, 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 # 174: AGENDA APPROVAL

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

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

RESOLUTION # 175: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Vogtli to approve the minutes of the Monday, August 11th town board meeting as presented.

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

RESOLUTION # 176: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #15 for 2014 dated September 2, 2014, vouchers # 570 – 607 for \$ 37,345.93:

General – Town Wide	10,126.51	Water District #1	1,533.81
General –Part Town	1,450.33	Water District #3	380.16
Highway	11,027.89	Water District #4	12.42
Helmuth Fire Control	10,050.00	Total	\$ 37,345.93
Special Refuse	2,764.81		

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

Public Access - none

Department Reports

Assessor Ebersole reported the assessment review went well – only five complaints and will set up a meeting regarding grant money to purchase agricultural land development rights.

Attorney Musacchio will check on the Richardson Road issue.

Code Enforcement Officer handed out monthly report.

Highway Superintendent reported a new sluice pipe in on Lenox Road; helped the Village of Gowanda at the park and has a 1983 truck he wants to declare surplus and get rid of. Four boxes were filled on the last trash day and would like to swap the November trash day for one in September. Supervisor Tessmer will make an MSD binder for the transfer station and asked about the bin rehab program that every six months a transfer station bin is fixed and painted.

Superintendent Jensen said they have the paperwork and is keeping a log book and all is in good shape. The reflective strips for the road sign posts have arrived and will be put on the posts.

Town Clerk reported August sales of \$ 9,817.75 with the town's portion \$ 5,875.55.

Board Reports

Councilman Vogtli attended the Helmuth meeting and reported that Carrier Coach is closing in Gowanda shortly.

Councilman Martin reviewed the vouchers; attended the Helmuth meeting and met with Bookkeeper Sue Gamel on the budget.

Councilman Stelley updated the website, reviewed the vouchers and attended the Helmuth meeting.

Councilman Clark attended the Helmuth meeting; sent some letters, met with the highway superintendent and met with the supervisor and Paul Bowers and Wm. Schutt.

Supervisor Tessmer spoke with a representative from the Prison about the shooting range on the prison grounds; met with Senator Gallivan at Gowanda Harley; attended the Helmuth meeting; met with Wm Schutt and Paul Bowers on the Collins playground equipment. A meeting has been set with the supervisor, highway superintendent and Mark Gasman from EC Soil and Water on the Herrington property drainage problem, had an informal conference with representative of PESH. Mr. Tessmer reported on the vandalism in the Collins Park and the LKPCC phone system has been upgraded.

Old Business

1. Helmuth discussion – all involved have sent letters to the rest that they are going to look at alternatives for dispatching. Councilman Vogtli has met with representatives from Evans and Springville dispatch. We have to make sure the Gowanda Ambulance dispatched from Cattaraugus County as they are Collins Center and Collins transport agency. The frequencies will stay the same and Springville will be the backup.

2. Resolution authorizing Supervisor to send Town of Evans regarding Dispatch Services

RESOLUTION # 177: **AUTHORIZE SUPERVISOR TO SEND LETTER OF INTENT TO TOWN OF EVANS FOR DISPATCH SERVICES**

Motion made by Councilman Clark and seconded by Councilman Vogtli to authorize the Supervisor to sign and send a letter to the Town of Evans advising them of our intent to enter into an agreement with them for Dispatch Services.

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

3. Update on Collins Fire District No. 1 Contract – A new three-year contract has been received with a 3% increase each year – the same as the last contract. With the tax cap the supervisor feels this is too high. Tom Flynn asks since the Gowanda Fire Hall now is farther away maybe Collins is closer for coverage. At times the Collins Company drives through the Gowanda district to get to a call. The part of the Gowanda district that is closer to Collins could be added to the Collins area. The Commissioners are ok with changing the boundaries of the fire district. Attorney Musacchio will research this and Supervisor Tessmer will send the contract back to Gowanda with a one-year contract and a 1% increase.

4. Resolution declaring two sets of wooden/steel bleachers as scrap

RESOLUTION # 178: **DECLARE TWO SETS OF WOODEN/STEEL BLEACHERS AS SURPLUS**

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

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

WHEREAS, The Town of Collins has purchased and installed two new sets of bleachers, which have been installed in the Town parks, and

WHEREAS, the old sets are no longer needed and do not meet certain safety requirements.

THEREFORE BE IT RESOLVED, that the two sets of wooden and steel bleachers be declared surplus and disposed of as scrap.

New Business

1. Discussion on Youth Recreation program – with elimination of Recreation Committee two town board members would serve as the committee. By suspending the winter program will give the board time to get the program under control and take longer to get a good qualified director and this board will have input on how the program will be run. The LKPCC will be gone through and do upgrades and get it into shape.

RESOLUTION # 179: **SUSPEND WINTER YOUTH RECREATION**

Motion made by Councilman Clark and seconded by Councilman Vogtli to temporarily suspend the Town of Collins Winter Youth Recreation program while the town Board searches for a Youth Recreation Program Director, with the intent of having a delayed start of the winter Youth program.

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

2. Resolution to accept Supervisors Report for July 2014

RESOLUTION # 180: **ACCEPT JULY 2014 SUPERVISORS REPORT**

Motion made by Councilman Vogtli and seconded by Councilman Stelley to accept the Town of Collins Supervisor's Report as submitted, for the month of July 2014.

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

3. Resolution to adopt 2014 Budget Transfers

RESOLUTION # 181: **APPROVE 2014 BUDGET TRANSFER**

Motion made by Supervisor Tessmer seconded by Councilman Martin to approve the following 2014 Budget Transfer:

Transfer From:	B7110.100 Parks Personal Services	\$1,500.00
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Transfer To:	B7310.103 Beautification Personal Services	\$1,500.00
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Due to Beautification program hours spent because of weather conditions resulting in additional lawn mowing and maintenance.

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

4. Schedule a Tour of LKPCC by Town Board – Wednesday, September 10th at 9:30 am

Budget workshops Monday September 8 at 2:00 pm, Monday September 15 at 2:00 pm, Monday September 22 at 2:00 pm and Wednesday September 24 at 2:00 pm.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Clark the meeting was adjourned at 9:05 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 8th day of September 2014.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Janet Vogtli, Councilman	Joanne Kibler, Deputy Town Clerk
	Mary Clark, Councilman	Sue Gamel, Budget Officer
	Mary Stelley, Councilman	

Others Present: Dennis Jensen, Highway Superintendent; Peter Waterman, Deputy Highway Superintendent

Supervisor Tessmer called the meeting to order at 2:00 PM.

The highway part of the budget was gone through. Discussion on increasing salt and sand lines and an update on town vehicles was given

With no further business, on a motion of Councilman Clark, seconded by Supervisor Tessmer the meeting was adjourned at 3:40 pm.

Joanne Kibler, Deputy Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 15th day of September 2014.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Janet Vogtli, Councilman	Becky Jo Summers, Town Clerk
	Mary Clark, Councilman	Sue Gamel, Budget Officer
	Mary Stelley, Councilman	

Others Present: Matthew Wurst, Water

Supervisor Tessmer called the meeting to order at 2:00 PM.

The Water and Court Sections of the budget were gone through.

With no further business, on a motion of Councilman Martin, seconded by Supervisor Tessmer the meeting was adjourned at 3:46 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Tuesday, the 2nd day of September 2014.

Present: David Tessmer, Supervisor
 Janet Vogtli, 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; Margaret Degenfelder; Dick Clark; Walter Cain; Thomas Wilder; and Samantha McDonnell, reporter, Observer

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

RESOLUTION # 182: AGENDA APPROVAL

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

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

RESOLUTION # 183: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the Tuesday, September 2nd town board meeting as presented.

ADOPTED Aye 5 Vogtli, Martin, Clark, Tessmer
 Nay 0
 Abstained 1 Stelley

RESOLUTION # 184: ABSTRACT APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley that the bills be paid on abstract #16 for 2014 dated September 15, 2014, vouchers # 608 – 623 for \$ 7,000.36:

General – Town Wide	3,194.76	Water District #1	1,916.95
General –Part Town	419.28	Water District #3	452.01
Highway	38.32	Water District #4	23.15
Special Lighting	866.08	Total	\$ 7,000.36
Special Refuse	89.81		

ADOPTED Aye 5 Vogtli, Martin, Stelley, 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 September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into any existing certified agricultural district. The Erie County Department of Environment and Planning (DEP) will accept applications for inclusion from September 1 through September 30.

Per New York State Agriculture and Markets Law Section 303-a, the County Legislature is required to review a district eight years after its creation and every eight years thereafter. Agricultural District 16, which encompasses 9,356 acres in the Town of Amherst, was originally established on April 28, 1983. Agricultural District 17, which encompasses 1,475 acres in the Towns of Lancaster and Alden, was originally established on April 25, 1991.

From September 1 through Sept 30, any municipality whose territory encompasses Agricultural Districts 16 or 17, any State Agency, or any landowner within or adjacent to Districts 16 or 17, may propose a modification.

At the termination of the thirty day period, all proposed modifications will be submitted to

the Erie County Agricultural and Farmland Protection Board (AFPB) for review. A public hearing will also be scheduled to consider all modification requests and the recommendations of AFPB.

Copies of the modification request form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The request form and maps of the Districts will be available in the DEP offices, as well as on the DEP website at www.erie.gov/environment.

All proposed modifications to Agricultural Districts 16 or 17, and requests for inclusion in any Erie County Agricultural District, must be submitted to DEP between September 1 and September 30, 2014.

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

1. Resolution to appoint Board Committee for Recreation Department

RESOLUTION # 185: **APPOINT BOARD COMMITTEE TO RECREATION DEPARTMENT**

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli to appoint Deputy Supervisor Mary Clark and Councilman Mary Stelley committee members to the Town of Collins Recreation Department.

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

2. Resolution authorizing Supervisor to send Evans Dispatch cost proposal

RESOLUTION # 186: **AUTHORIZE SUPERVISOR TO SEND COST PROPOSAL FOR DISPATCH SERVICES**

Motion made by Councilman Clark and seconded by Councilman Vogtli to authorize the Supervisor to sign and send a letter to the Seneca Nation, Village of North Collins and Town of North Collins with a proposal to share costs for Evans Dispatch Services contingent upon verification of total costs.

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

3. Resolution declaring 1983 Ford 800 dump truck as surplus and sent to auction

RESOLUTION # 187: **DECLARE 1984 FORD 800 DUMP TRUCK AS SURPLUS AND SENT TO AUCTION**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to declare Highway Department 1984 Ford 800 Dump Truck VIN No. 1FDNF82K4EVA45207 as surplus and be listed on internet auction site.

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

New Business

1. Resolution to advertise for Youth Recreation Director

RESOLUTION # 188: **ADVERTISE FOR YOUTH RECREATION DIRECTOR**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following is:

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

WHEREAS, the Town of Collins provides Recreational Services to the Youth of the Town, and

WHEREAS, the Youth Recreation Director recently resigned from his position, and

WHEREAS, the Town plans to continue to provide these services to the Youth of the Town, and therefore wishes to fill the vacancy left by this resignation, therefore,

NOW THEREFORE BE IT RESOLVED, that the Collins Town Clerk be instructed to place an ad for such vacancy in the Gowanda News, the Dunkirk Observer, and the Springville Journal, as well as online at any of the local free employment websites. Such ad shall request applications be accompanied by a proposal for programming and shall run for 1 printing and shall require that all applications be delivered to the Collins Town Clerk no later than 4:00 p.m., Friday, September 26, 2014.

2. Resolution to set Public Hearing on 2015 CDBG Project Requests

RESOLUTION # 189: **SET PUBLIC HEARING ON 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE PROJECTS:**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to set a public hearing on October 6, 2014 at 7:30 pm to discuss 2015 Community Development Block Grant eligible projects.

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

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **Monday, October 6, 2014 at 7:30 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 1, 2014.

3. Resolution to approve Supervisors Report for August 2014

RESOLUTION # 190: **ACCEPT SUPERVISOR'S REPORTS FOR AUGUST 2014**

Motion made by Councilman Martin and seconded by Councilman Vogtli to accept the Town of Collins Supervisor's Report as submitted, for the month of August 2014.

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

4. Resolution to approve 2014 Budget Transfers

RESOLUTION # 191: **APPROVE 2014 BUDGET TRANSFERS**

Motion made by Supervisor Tessmer seconded by Councilman Stelley to approve the following 2014 Budget Transfers and Modifications:

A Fund:

Transfer From:

A1989.000 Unclassified

\$809.60

TOTAL A

\$809.60

Transfer To:

A1920.400 Association Dues

\$809.60

\$809.60

DB Fund:

Transfer From:

DB 5148.400 Snow Co. Contract

\$3,000.00

DB 5110.400 Hwy Part Town Contract

\$19,752.53

TOTAL DB

\$22,752.53

Transfer To:

DB 5142.401 Diesel

\$ 500.00

DB 5148.401 Diesel

\$ 2,500.00

DB 5142.404 Sand

\$ 4,754.07

DB5148.404Sand

\$14,998.46

\$22,752.53

SW3 Fund:

Transfer From:

SW3 8320.455 Lagoon Cleaning

\$ 500.00

TOTAL SW3

\$ 500.00

Transfer To:

SW3 8320.435 Supplies

\$ 500.00

\$ 500.00

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

5. Resolution to obtain Town credit card for Scott Martindale, Senior Recreation Director

RESOLUTION # 192: **OBTAIN TOWN CREDIT CARD**

Motion made by Councilman Clark and seconded by Councilman Stelley to obtain a Town credit card for Scott Martindale, Senior Recreation Director and cancel the town credit card in Jeffrey Johnson's name.

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

6. Discussion on Gowanda SRO - The elementary school is without a resource officer. Councilman Vogtli asks the board look into putting an officer on our payroll as a constable and contracting with the school for resource officer services. Supervisor Tessmer stated if another constable position is created, the town would have to interview for the position, we could not create it for a particular person. Attorney Musacchio will look into this.

Workshop Topics

The board discussed the tax cap, overall valuation and that there has to be an efficiency plan that must generate savings of 1% per year for three years.

With no further business, on a motion of Councilman Clark, seconded by Councilman Stelley the meeting was adjourned at 8:35 pm in memory of Monica Westlund who recently passed away.

Becky Jo Summers, Town Clerk

A Workshop Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 22nd day of September 2014.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Janet Vogtli, Councilman	Becky Jo Summers, Town Clerk
	Mary Clark, Councilman	Sue Gamel, Budget Officer
	Mary Stelley, Councilman	

Others Present: Dennis Jensen, Highway Superintendent; Peter Waterman, Deputy Highway Superintendent; Scott Martindale, Senior Program Director; Jeanne Ebersole, Assessor

Supervisor Tessmer called the meeting to order at 2:03 PM.

Transfer station fund was gone over. The land lease will expire next year. Attorney Musacchio has tried to contact them. The truck and bins need work. The telephone has not worked for a while. The problem is with the wiring. The driveway needs to be done. A list of the County roads we plow will be made and sent to Erie County. Some more sand will be needed to dress the ball diamonds next year.

Senior program - More pay was asked for Pat Tucker and maybe hire another person as more programs are being instituted.

Assessor requested increase in pay and contractual line and stated she does not get notification of completion of building permits; but would like the Code Enforcement Officer to go with her on field reviews. Some properties have very low values and this needs to be addressed.

With no further business, on a motion of Councilman Martin, seconded by Supervisor Tessmer the meeting was adjourned at 4:30 pm.

Becky Jo Summers, Town Clerk

A Workshop Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Wednesday, the 24th day of September 2014.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Janet Vogtli, Councilman	Becky Jo Summers, Town Clerk
	Mary Stelley, Councilman	Sue Gamel, Budget Officer

Absent: Mary Clark, Councilman

Supervisor Tessmer called the meeting to order at 2:00 pm.

The board went over the information that was given in previous meetings:

Transfer station lot quote to redo was \$ 8,219.92.

Assessor's requested pay and contractual increase – Supervisor would like task list done. (The Hanover Assessor quit and maybe we should look to share services between us, North Collins and Hanover. Field reviews and property appraisals are part of the job.

Zoning signs should be up on all roads leading into the town.

Dog census will be done next year. All dogs found during the census without a license will be charged \$ 10.00. Many Dankert will want \$ 2.50 per dog and mileage to do the census.

Supervisor Tessmer and Matt Wurst met with the health department regarding compliance with the second water worker. Supervisor Tessmer has spoken to Gowanda and they are receptive of entering into an agreement on the water.

With no further business, on a motion of Councilman Martin, seconded by Supervisor Tessmer the meeting was adjourned at 4:15 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 6th day of October 2014.

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

Others Present: Matt Kowalski; Brent McHale; Dick Clark; Lois Johnson; Margaret Degenfelder; Stefan Mychajliw, EC Comptroller; Dick Agle; Faith Hoffman; Margaret Degenfelder; Dick Clark; Thomas Wilder; Richard Westlund, reporter Gowanda News and Samantha McDonnell, reporter, Observer

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

RESOLUTION # 193: AGENDA APPROVAL

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

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

RESOLUTION # 194: MINUTES APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Stelley to approve the minutes of the September 8, 15, 15, 22 and 24, 2014 town board meetings as presented.

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

RESOLUTION # 195: ABSTRACT APPROVAL

Motion made by Councilman Martin seconded by Councilman Vogtli that the bills be paid on abstract #17 for 2014 dated October 6, 2014, vouchers # 624 – 680 for \$ 46,627.96:

General – Town Wide	21,088.66	Water District #1	2,238.45
General –Part Town	538.31	Water District #3	1,126.85
Highway	12,772.25	Water District #4	<u>2,851.72</u>
Special Lighting	949.58	Total	\$ 46,627.96
Special Refuse	5,062.14		
ADOPTED	Aye	5	Vogtli, Martin, Stelley, Clark, Tessmer
	Nay	0	

Erie County Comptroller Stefan Mychajliw gave a presentation on his office's eight page summary of the 2013 Financial Report. Mr. Mychajliw explained some of the highlights from the report.

Public Access

Faith Hoffman asked about the road drainage at her property. She is to call Denny Jensen, highway superintendent to meet with her.

Department Reports

Attorney Musacchio reported on what he found out about the Gowanda school resource officer

PUBLIC HEARING – 7:30 pm ON 2015 CDBG Project Requests

RESOLUTION # 196: OPEN SCHEDULED PUBLIC HEARING ON 2015 CDBG PROJECT REQUESTS

Motion made by Councilman Clark and seconded by Councilman Stelley interrupt Board meeting to conduct a Public Hearing on 2015 Community Development Block Grant project requests as advertised and scheduled for this evening at 7:30 PM.

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

Supervisor Tessmer read the notice of public hearing and gave a recap of the previous projects funded for the Town of Collins.

Supervisor Tessmer asked for any input from the audience. There was none.

Supervisor Tessmer suggested replacing the wheelchair lift at the LKPCC.

After no one else wished to be heard, the hearing was declared closed.

RESOLUTION # 197: CLOSE PUBLIC HEARING ON 2015 CDBG PROJECT REQUESTS

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli to close the Public Hearing on 2015 CDBG project requests at 7:40 PM.

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

Department Reports (cont'd)

Attorney Musacchio reported he has two assessment cases.

Code Enforcement Officers monthly report was handed out.

Highway Department – reflective markers for street signs have been ordered; spoke with John Fisher on Buffalo St.; getting equipment ready for winter and three containers were used on the last trash day.

Town Clerk Summers reported \$ 14,389.60 in sales for September; with the town's share \$ 8,068.42.

Water Department report included water pumped and sold; painting in the garage; handling the UFPO notices and preparation of winter hydrants. Justin Wallschlaeger is at school this week and the drinking fountain in the Collins Park was replaced.

Board Reports

Councilman Vogtli will attend the October 9th Helmuth meeting on the new system conversion.

Councilman Martin gave a recap of the process of updating our town code with General Code and reviewed the vouchers.

Councilman Stelley made five calls to set up interviews; reviewed vouchers; updated the website; attended the prison advisory meeting; attended the budget meeting and the LKP meeting.

Councilman Clark attended the building meeting and met with Councilman Stelley.

Supervisor Tessmer attended the NEST meeting, the Assoc. of EC Governments meeting, met with Erie County Health Department; met with the Assessor on some issues; worked with Librarian Karen McClure on the parking lot grant; spoke with Attorney Musacchio on the Donald Danler Lease of the transfer station property. The VA office in the LKPCC has been moved to the back of the building.

Old Business

1. NYS DOH Water Department Operator requirement – Supervisor Tessmer attended a meeting with the EC Health Department that we are not operating correctly and must take steps to comply. We need to have a licensed backup plan.

2. Draft Inter-municipal Agreement for Water Operator Backup

3. Collins Fire District No. 1 Contract update – Supervisor Tessmer sent our proposed contract and the Village countered with a 1% increase on a three-year contract.

4. Resolution modifying truck auction resolution

RESOLUTION # 198: MODIFY SEPTEMBER 15, 2014, RESOLUTION NO. 187

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

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

WHEREAS, the Collins Town Board approved the declaration of a Highway Department 1984 Ford 800 Dump Truck VIN No. 1FDNF82K4EVA45207 as surplus and to be listed on an Internet auction site, and

WHEREAS, the Highway Superintendent has been informed of a local live auction to be held October 11, 2014, and would like to take the surplus truck there.

NOW THEREFORE BE IT RESOLVED, that the Collins Town Board modify the September 15, 2014, resolution No. 187, to also allow the Highway Superintendent to take the 1984 surplus Ford Dump truck to other auction venues.

New Business

1. Prepare Request for Bids to replace LKPCC Wheel Chair Lift

2. USDA Inspection of Water District Assets will be held on October 15, 2014.

3. Resolution to shut off phone service to Transfer Station and purchase prepaid mobile phone

RESOLUTION # 199: **DISCONNECT PHONE SERVICE AT TRANSFER STATION AND PURCHASE PREPAID WIRELESS PHONE**

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

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

WHEREAS, the existing telephone line at the Transfer Station does not function properly, and

WHEREAS, it is not cost effective to repair the line or continue to pay for inadequate service, and

WHEREAS, during a recent PESH inspection of the facility, it was determined that it is acceptable to provide a Town-owned wireless telephone for emergency use, in lieu of a dedicated phone line.

NOW THEREFORE BE IT RESOLVED, that the Town of Collins will purchase a pre-paid wireless phone at a cost not to exceed \$50.00, and purchase air time as required, to be used for emergencies only by employees at the Transfer Station.

New Topics

Councilman Martin went over a number of invoices in the current abstract and he will meet with Kevin McCormack on the process of submitting vouchers and paying from them. We will wait until the statement arrives and then put the invoices with it to be submitted for payment. Mileage needs backup not just stating where and when travel was done.

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

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 20th day of October 2014.

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

Others Present: Dick Agle; Lois Johnson; Dick Clark; Richard Westlund, reporter Gowanda News and Samantha McDonnell, reporter, Observer

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

RESOLUTION # 200: AGENDA APPROVAL

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

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

RESOLUTION # 201: MINUTES APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the October 6, 2014 town board meeting as presented.

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

RESOLUTION # 202: ABSTRACT APPROVAL

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #18 for 2014 dated October 20, 2014, vouchers # 681 – 723 for \$ 71,413.13:

General – Town Wide	12,301.62	Special Refuse	4,907.25
General –Part Town	2,203.41	Water District #1	14,005.74
Highway	6,925.17	Water District #3	25,388.55
Library	5,625.00	Water District #4	32.66
Special Lighting	23.73	Total	\$ 71,413.13

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

Old Business

1. Resolution to rank 2015 CDBG project requests

RESOLUTION # 203: RANK 2015 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. L.K. Painter Center Wheel Chair and Stair Lift replacement
2. Rural Transit Van Program

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

2. Discussion on Gowanda SRO contract covered the contract, insurance, liability and training. Our Accountant Laura Landers said the constable position is an antiquated position – it is not law enforcement and the person would need 99 hours of training and eight hours annually. The Gowanda School wants to have Jen Alessi in this position. Supervisor Tessmer spoke with Senator Gallivan's office where there has been grant money to put resource officers in schools. This has been taken off the table.

3. Resolution to approve Evans Dispatch Cost schedule

RESOLUTION # 204: APPROVE EVANS DISPATCH SERVICE COST SCHEDULE

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli that the following is:

ADOPTED Aye 3 Vogtli, Martin, Tessmer
Nay 2 Stelley, Clark

WHEREAS, the Town of Collins submitted a cost proposal to the Town of Evans for providing dispatch services, and

WHEREAS, representatives from each member community met to discuss cost breakdowns, and a proposal was sent to member communities.

NOW THEREFORE BE IT RESOLVED, that the Town of Collins approve the Town of Evans dispatch 5-year cost schedule, including the first year's payment of \$23,333.33, with annual 5% increases.

New Business

1. Resolution to accept Supervisors Report for September 2014

RESOLUTION # 205: ACCEPT SEPTEMBER 2014 SUPERVISORS REPORTS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to accept the Town of Collins Supervisor's Report as submitted, for the month of September 2014.

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

2. Resolution to approve 2014 Budget Transfers and Modifications

RESOLUTION # 206: APPROVE 2014 BUDGET TRANSFERS

Motion made by Supervisor Tessmer seconded by Councilman Clark to approve the following 2014 Budget Transfers and Modifications:

A Fund:

Transfer From:

A 1420.400 Town Attorney Contractl \$246.02
TOTAL A \$246.02

Transfer To:

A 1420.410 Town Prosecutor Contractl \$246.02
\$246.02

B Fund:

Transfer From:

B 7310.102 Youth Prog – Youth Pers Serv \$832.49
TOTAL B \$832.49

Transfer To:

B 7310.101 Youth Prog – Rec Pers Serv \$832.49
\$832.49

SW3 Fund:

Transfer From:

SW3 9055.500 Disability \$4.78
SW3 8310.415 Water Admin – Office Exp \$0.01
TOTAL SW3 \$4.79

Transfer To:

SW3 9055.800 Disability Ins. Emp Ben \$4.78
SW3 9710.651 Filtration Bond Sys \$0.01
\$4.79

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

3. Discussion on PO-17 for Park Crew Chief – Mark Mangano works at the transfer station and with the beautification program. He starts earlier and finishes later than the other workers with the mowing. Most of his hours are used up during the summer and very few are left for work at the transfer station. Supervisor Tessmer handed out information to the board members to look over and he will do a resolution for Monday.

4. Resolution to put past-due water bills on taxes

RESOLUTION # 207: APPLY DELINQUENT WATER CHARGES TO THE 2015 TOWN AND COUNTY TAX LEVY

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

ADOPTED Aye 5 Vogtli, Martin, Stelley, 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, agricultural penalties, and demolitions or property clean-ups be approved by the Town Board, and

Whereas, the Town of Collins has \$21,214.15 of Delinquent Water charges and \$8,485.72 in administrative fees, for a total of \$29,699.87, to be applied to the 2015 Town and County Tax Levy.

NOW, THEREFORE BE IT RESOLVED that the Town Board approves these charges to be included in the 2015 Town and County Property Tax Levy.

5. Resolution authorizing Justice Court to apply for 2014 – 2015 JCAP grant funding

RESOLUTION # 208: **AUTHORIZE JUSTICE COURT TO APPLY FOR JCAP GRANT**

Motion made by Supervisor Tessmer, seconded by Councilman Martin to authorize the Justice Court to apply for 2014-15 Justice Court Assistance Program (JCAP) grant money for the purpose of heating and air conditioning for the court room and six chairs for the jury deliberation room.

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

Nay 0

6. Resolution to set Public Hearing on Collins Fire Protection District No. 1 contract

RESOLUTION #209: **SET PUBLIC HEARING ON COLLINS FIRE PROTECTION DISTRICT 1 CONTRACT**

Motion made by Supervisor Tessmer, seconded by Councilman Martin to set a public hearing on November 3, 2014 at 7:30 pm on the Collins Fire Protection District No. 1 contract.

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

Nay 0

**NOTICE OF PUBLIC HEARING
FOR TOWN OF COLLINS FIRE PROTECTION DISTRICT NO. 1
CONTRACT WITH VILLAGE OF GOWANDA**

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on Monday, November 3, 2014, at 7:30 pm at the Collins Town Hall, 14093 Mill Street, Collins, New York on the proposed contract with the Village of Gowanda for the years 2015, 2016, and 2017 to supply fire protection to the Town of Collins Fire Protection District No. 1 (Rosenburg District).

The proposed fire protection contract with the Village of Gowanda includes payments of \$20,141.00 in 2015, \$20,342.00 in 2016, and \$20,546.00 in 2017.

Workshop Topics

1. 2015 Budget Review – the proposed budget was gone over; fund balances were looked at; proposed projects were looked at. The board will meet again on Wednesday October 22nd at 3:30 pm.

The procurement policy limits have gone up and we should change our policy.

With no further business, on a motion of Councilman Martin, seconded by Councilman Clark the meeting was adjourned at 9:10 pm.

Becky Jo Summers, Town Clerk

A Workshop Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Wednesday, the 22nd day of October 2014.

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

Absent: Janet Vogtli, Councilman

Supervisor Tessmer called the meeting to order at 3:30 PM.

The fund balances will be handled by projects and not by a tax cut. The Supervisor handed out a list of projects and will meet with Paul Bowers on the list and will get a quote for their services.

Resolution to adopt Preliminary Budget and Set Public Hearing on 2015 Budget

RESOLUTION #210: **ADOPT PRELIMINARY BUDGET AND SET PUBLIC HEARING ON 2015 BUDGET:**

Motion made by Supervisor Tessmer, seconded by Councilman Clark to adopt the 2015 Tentative Budget as the 2015 Preliminary Budget and set a public hearing to be held on Monday, November 3, 2014 at 7:30 pm.

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

**NOTICE OF PUBLIC HEARING
FOR TOWN OF COLLINS
ANNUAL PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the annual preliminary budget of the Town of Collins for the year 2015 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 **3rd day of November, 2014, 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

With no further business, on a motion of Councilman Clark, seconded by Councilman Stelley the meeting was adjourned at 5:33 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 3rd day of November 2014.

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

Others Present: Lois Johnson; Samantha D'Amario; Heather Moppert-Zynda; Tina Marrocco, Thomas McMullen; Linda Munro, Nicholas Hodak, Frank Ortel; Dick Agle; Tom Flynn; Richard Westlund, reporter Gowanda News and Samantha McDonnell, reporter, Observer

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

RESOLUTION # 211: AGENDA APPROVAL

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

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

RESOLUTION # 212: MINUTES APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Martin to approve the minutes of the October 20 and 22, 2014 town board meetings.

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

RESOLUTION # 213: ABSTRACT APPROVAL

Motion made by Councilman Martin seconded by Councilman Stelley that the bills be paid on abstract #19 for 2014 dated November 3, 2014, vouchers # 724 – 754 for \$ 14,964.46:

General – Town Wide	2,261.19	Water District #1	198.59
General –Part Town	150.00	Water District #3	234.21
Highway	8,411.75	Water District #4	0.80
Special Refuse	3,707.92	Total	\$ 14,964.46

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

Public Access

1. Linda Munro is requesting help from the board with vacant properties in Collins Center. She spoke with EC Legislator John Mills and he said to create a land bank. There are a lot of grants out there to revitalize properties and Mrs. Munro will work with the supervisor on this.
2. Heather Moppert-Zynda asked what is going on with the recreation program. Supervisor Tessmer explained the plans with the building and the program.
3. Nicholas Hodak asked some questions about the park, ball diamonds, the plans and who is in charge of them.
4. Tom Flynn asked what is going on with the Helmuth dispatch. Supervisor Tessmer stated we will be going to Evans the first of the year.

Public Hearing – 7:30 PM on Collins Fire Protection District No. 1 Contract with Gowanda

RESOLUTION # 214: MOVE TO SCHEDULED PUBLIC HEARING ON COLLINS FIRE PROTECTION DISTRICT 1 CONTRACT

Motion made by Supervisor Tessmer, seconded by Councilman Clark to interrupt Board meeting to conduct a Public Hearing on the Collins Fire Protection District No. 1 Contract as advertised and scheduled for this evening at 7:30 PM.

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

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on Monday, November 3, 2014, at 7:30 pm at the Collins Town Hall, 14093 Mill Street, Collins, New York on the proposed contract with the Village of Gowanda for the years 2015, 2016, and 2017 to supply fire protection to the Town of Collins Fire Protection District No. 1 (Rosenburg District).

The proposed fire protection contract with the Village of Gowanda includes payments of \$20,141.00 in 2015, \$20,342.00 in 2016, and \$20,546.00 in 2017.

RESOLUTION # 215: MOVE TO CLOSE PUBLIC HEARING ON COLLINS FIRE PROTECTION DISTRICT 1 CONTRACT

Motion made by Supervisor Tessmer and seconded by Councilman Martin to close the Public Hearing on Collins Fire Protection District No. 1 contract at 7:36 PM.

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

RESOLUTION # 216: APPROVE COLLINS FIRE PROTECTION DISTRICT 1 CONTRACT

Motion made by Councilman Clark and seconded by Councilman Stelley to approve the Collins Fire Protection District No. 1 contract with the Village of Gowanda and authorize the Supervisor to sign same.

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

Reports of Department Heads and Consultants

Attorney Musacchio sent a letter to General Code, spoke with Mark Lee and sent a copy out of the changes to our town code. We need to do the SEQR process and have to have the information back to General Code by January 8, 2015.

Code Enforcement Officer submitted his monthly report and attended a seminar on the land bank program and feels the town should consider getting involved. They will demo properties but are more interested in rehabilitation.

Highway Department reported they are getting the equipment ready for winter. Transfer Station – 4 ½ boxes were used for the last trash day. Last Saturday a pin came out of a cylinder and was fixed.

Public Hearing – 8:00 PM on 2015 Preliminary Budget

RESOLUTION # 217: MOVE TO SCHEDULED PUBLIC HEARING ON 2015 PRELIMINARY TOWN BUDGET

Motion made by Supervisor Tessmer and seconded by Councilman Clark to interrupt this Board meeting to conduct a Public Hearing on the Town of Collins 2015 Preliminary Budget as advertised and scheduled for this evening at 8:00 PM.

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

NOTICE IS HEREBY GIVEN, that the annual preliminary budget of the Town of Collins for the year 2015 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 **3rd day of November, 2014, at 8:00 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

Supervisor Tessmer read the notice of public hearing and thanked all who worked on getting this budget put together. The Town is in good financial condition and has healthy fund balances. A tax cap override was not passed this year. There are a number of projects that will be done in the next few years. Supervisor Tessmer went through the budget highlighting items that have increased.

RESOLUTION # 218: MOVE TO CLOSE PUBLIC HEARING ON 2015 PRELIMINARY TOWN BUDGET

Motion made by Councilman Clark and seconded by Councilman Stelley to close the Public Hearing on 2015 Preliminary Town Budget at 8:47 PM.

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

RESOLUTION # 219: ADOPT 2015 PRELIMINARY TOWN BUDGET

Motion made by Supervisor Tessmer and seconded by Councilman Clark to adopt 2015 Town Budget.

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

Town Clerk reported \$6,352.65 in sales during October with the town's portion \$4,931.01.

Water - Justin Wallschlaeger is now a certified 2B water department operator and can cover during Matt Wurst's absence. Water District 1 has a valve failure and the system is on manual override until fixed.

Reports of Board and Committees

Councilman Martin attended the Helmuth meeting and reviewed the vouchers.

Councilman Stelley interviewed candidates for the Youth Recreation Director, reviewed the vouchers, updated the website, attended the budget workshops and sat in on a webinar on property tax.

Supervisor Tessmer worked on the bid specs for the tractor, met the William Schutt and Paul Bowers on our capital improvement plan, met with Erie County Department of Public Works on the condition of our county roads and worked with the county health department on water.

Old Business

1. Resolution to approve and file PO-17 for Park Crew Chief

RESOLUTION # 220: APPROVE AND FILE PO-17 WITH ERIE COUNTY PERSONNEL FOR PARK CREW CHIEF

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

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

WHEREAS, the Town of Collins currently employs Mark Mangano as a laborer working at both the Transfer Station, and supervising summer Beautification employees, and

WHEREAS, this employee is classified as part time and limited to 1,014 hours per year, and

WHEREAS, by working in two departments while limited to these hours, it creates a hardship getting coverage, especially considering the weather demands and difficulty getting reliable staffing.

NOW THEREFORE BE IT RESOLVED, that the Town of Collins file a PO-17 job description with Erie County for the non-competitive position of Park Crew Chief, to allow Mark Mangano to continue supervising the Beautification program and also allow him to work as a laborer at the Transfer Station without the limitation of 1,014 combined total hours .

2. Resolution to advertise for sealed bids for Highway / Parks tractor

RESOLUTION # 221: ADVERTISE NOTICE TO BIDDERS FOR HIGHWAY / PARKS TRACTOR

Motion made by Supervisor Tessmer, seconded by Councilman Clark to advertise the attached notice to bidders in the Dunkirk Observer, on Sunday, November 9, 2014, and also distribute Invitations to Bid to local vendors, with bids to be received and opened at 4:00 PM on December 12, 2014, at the office of the Collins Town Clerk.

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

EQUIPMENT PURCHASE – 4WD TRACTOR WITH FRONT LOADER – TOWN OF COLLINS NEW YORK

Sealed bids for the purchase of a 4-wheel drive tractor with front loader by the Town of Collins, will be received by the Town Clerk's office located in the Town Hall, 14093 Mill Street, Collins, New York 14034 on or before 4:00 P.M., local time, on the 12th day of December, 2014, at which time they will be publicly opened and read aloud.

Invitations to Bid and specifications for the equipment purchase may be obtained at the office of the Collins Town Clerk or at www.Townofcollins.com.

Each bid proposal shall be submitted in a sealed envelope, clearly marked "BID ENCLOSED: EQUIPMENT – 4WD TRACTOR".

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

New Business

1. Resolution to allow Southern Tier Snow Drifters snowmobile club to mark trail through Town Park
RESOLUTION # 222: **APPROVE USE OF TRAIL THROUGH COLLINS TOWN PARK BY SOUTHERN TIER SNOW DRIFTERS**

Motion made by Councilman Clark and seconded by Councilman Martin 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 2014-15 season. The trail will be "double marked" as in years past.

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

2. Resolution to set public hearing on 2015 Kennel Special Use Permits

RESOLUTION # 223: **SET PUBLIC HEARING ON 2015 KENNEL SPECIAL-USE PERMITS**

Motion made by Councilman Stelley and seconded by Councilman Martin to set a Public Hearing on 2015 Dog Kennel special-use permits for December 15, 2014 at 7:30 PM.

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

3. Discussion on Town Code Modifications timeline – Attorney Musacchio contacted General Code which set the started the time of which we have to have the code adopted. Councilman Martin recapped the process of updating our town code. A Public Hearing will be held the first meeting in December. New proposed Code books were handed out to the board and attorney for their review. The Board wants to put a replacement fee for the new Code book at \$50.00.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Martin the meeting was adjourned at 9:43 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 17th day of November 2014.

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

Others Present: Dennis Jensen, Highway Superintendent; Gene Degman and Charles Siegle, Code Enforcement Officers; Jeanne Ebersole, Assessor; Dick Clark; Samantha D'Amato; Tamara Fabbiano; Karl Simmeth, NYS Assembly; and Richard Westlund, reporter Gowanda News

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

RESOLUTION # 224: **AGENDA APPROVAL**

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

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

RESOLUTION # 225: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Stelley to approve the minutes of the November 3, 2014 town board meeting.

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

RESOLUTION # 226: **ABSTRACT APPROVAL**

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #20 for 2014 dated November 17, 2014, vouchers # 755 – 772 for \$ 10,948.16:

General – Town Wide	7,919.00	Water District #1	1,498.19
Highway	38.32	Water District #3	368.18
Special Lighting	1,032.51	Water District #4	0.19
Special Refuse	91.77	Total	\$ 10,948.16

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

Old Business

Discussion on Evans Dispatch Contract - Revisions have been made to the contracts so all will be the same.

New Business

1. Resolution to set Public Hearing on Local Law 1 of 2104 – Town Codification

RESOLUTION # 227: **TO HOLD PUBLIC HEARING ON PROPOSED LOCAL LAW**

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

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

WHEREAS the Town Board of the Town of Collins has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Collins for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of and access to town legislation and protecting the health, safety and welfare of town inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 1st day of December 2014, at 7:30 p.m., in the Town Hall, Town of Collins, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 1 of 2014

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF COLLINS INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF COLLINS"

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

AND BE IT FURTHER RESOLVED that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and §§ 264 and 265 of the Town Law of the State of New York.

2. Resolution to accept Supervisor's report for October 2014

RESOLUTION # 228: **ACCEPT OCTOBER 2014 SUPERVISORS REPORTS**

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli to accept the Town of Collins Supervisor's Report as submitted, for the month of October 2014.

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

3. Resolution to approve 2014 Budget Modification

RESOLUTION # 229: **APPROVE 2014 BUDGET MODIFICATION**

Motion made by Supervisor Tessmer seconded by Councilman Clark to approve the following 2014 Budget Modification:

A Fund:

Transfer From:

A 7620.420 Seniors Travel \$121.25

Transfer To:

A 7620.410 Senior Citizens (LKP 50+) \$121.25

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

4. Resolution authorizing Supervisor to sign Erie County Snow Removal Amendment

RESOLUTION # 230: **AUTHORIZE SUPERVISOR TO SIGN AMENDMENT TO ERIE COUNTY SNOW REMOVAL CONTRACT**

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

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

WHEREAS, the Town of Collins has entered into an Inter-Municipal Snow Removal and Ice Control Agreement with Erie County for the years 2013-2016, and

WHEREAS, the County has requested that agreement be amended to include an additional 6.7 lane miles of County roads, consisting of Quaker Street from Lenox Road to Bagdad Road, and Bagdad Road from Route 62 to Route 39, as Exhibit A, be incorporated into the Agreement, effective November 1, 2014, and

WHEREAS, the Town of Collins Highway Superintendent is aware of this request and agrees to add those roadways to his schedule, and

WHEREAS, The Town of Collins will be reimbursed by Erie County for the additional lane miles at the authorized Contract amounts.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the First Amendment to Erie County 2013-2016 Inter-municipal Snow Removal and Ice Control Agreement, and return it to Erie County for execution.

5. Resolution to appoint Recreation Director and Attendant

RESOLUTION # 231: **APPOINT RECREATION DIRECTOR AND RECREATION ATTENDANT**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following is:

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

WHEREAS, the Town of Collins provides Recreation activities for the Youth of the Town, and
WHEREAS, we are currently in the process of revamping this Program, and

Whereas, THE Personnel Committee has interviewed candidates for the position of Director and in process, has determined that this position would be more functional if there was a Recreation Supervisor to serve as Assistant, and

WHEREAS, the Town is seeking to acquire the title of Recreation Supervisor, thereby leaving only the title of Recreation Attendant to which to presently appoint this assistant, and

WHEREAS, the Personnel Committee has made selections from the candidates for both the position of Recreation Director and also the position of Recreation Attendant, in anticipation of approval of the Recreation Supervisor position.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board approve the hiring of Samantha D'Amato as Recreation Director (PT), at an hourly rate of \$15.00 per hour, and Tamara Fabbiano as Recreation Attendant (PT), at an hourly rate of \$12.00 per hour, effective November 18, 2014; both appointees to be on probation for a term of six months.

Discussion ensued on the recreation program – Councilmen Clark and Stelley said they would hope to start the program the week of Christmas. Supervisor Tessmer feels the end of December is optimistic as there are a lot of things that have to be done in the building. The Recreation Director and Attendant would like to start this week going through the inventory and see what is usable for the program. The game room will be moved upstairs and Morning Enrichment will be moved to the back. The Director will be paid hourly during the set-up phase and when the program starts she will be on salary.

6. Resolution to submit PO-17 for Recreation Supervisor – (motion and second were withdrawn)

RESOLUTION # 232: **SUBMIT PO 17 FOR THE POSITION OF RECREATION SUPERVISOR**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following is:
ADOPTED

WHEREAS, the Town of Collins provides Recreation activities for the Youth of the Town, and
WHEREAS, the Town is in the process of revamping this program, and

WHEREAS, one of the changes the Personnel Committee has recommended is to hire an assistant to the Director of the program, eliminating the need for a Head Counselor and a Head Cashier, and

WHEREAS, at this time, there is no position defined to which to appropriately appoint such an assistant.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board submit to Erie County Civil Service a PO 17 establishing the position of Recreation Supervisor PT for the Town of Collins.

RESOLUTION AND SECOND WERE WITHDRAWN

as the form was not completed to file at this time. It will be completed for next meeting.

7. Resolution to advertise for youth recreation attendants

RESOLUTION # 233: **ADVERTISE FOR YOUTH RECREATION ATTENDANTS**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following is:

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

WHEREAS, the Town of Collins provides Recreational Services to the Youth of the Town, and

WHEREAS, the Recreation program requires Recreation Attendants to oversee the activities of the participants, as well as a Recreation Attendant (crafts).

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Clerk be instructed to place an ad for these positions in the Gowanda News and the Springville Journal, to run for one printing each the weeks of November 23, 2014, and November 30, 2014, and require that all applications be delivered to the Collins Town Clerk no later than 4:00 p.m., Friday, December 5, 2014.

8. Resolution to purchase Highway Department Plow Truck

RESOLUTION # 234: **PURCHASE 2016 MACK GRANITE GU 713**

REGULAR MEETING

TOWN OF COLLINS

NOVEMBER 17, 2014 4

Motion made by Councilman Clark and seconded by Councilman Stelley that the following is:

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

Nay 0

WHEREAS, the Town of Collins Highway Department has determined that it has a need for a new plow truck, and

WHEREAS, the Board has previously approved a resolution to standardize its plow trucks to Mack, and

WHEREAS, such Mack truck is available per Onondaga County Blanket Price Agreement, bid ref. #7823, issued June 26, 2013, through vendor Beam Mack Sales & Service, Inc., 2874 W. Henrietta Rd., Rochester, New York 14623.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Collins approves the purchase of a 2016 Mack Granite GU 713 from Beam Mack at a cost of \$122,684.31 for complete cab and chassis, and an extended warranty on the after-treatment system and engine sensors at an additional cost of \$5,045.00, and

BE IT FURTHER RESOLVED, the Collins Town Board authorizes the Highway Superintendent to purchase a stainless steel dump body and cable wing system for the plow from State Contract with Tenco Industries, Inc., 5700 S. Lima Road, Lakeville, New York 14480 at a cost of \$89,795.12, bringing the total cost to \$216,924.43, to be paid from 2015 Budget line DB5130.210 – Equipment Reserve.

Workshop Topics

Code Enforcement / Assessor Offices – Gene Degman, Code Enforcement Officer went through the building permit process. Jeanne Ebersole, Assessor would like to know when the project has been completed so she can enter the information on the property file. Both departments will work together sharing information and setting up procedures so the loose ends can be taken care of.

Mrs. Ebersole suggests doing a rental permit as there are a lot of absentee landlords. Rental inspections have to be done every three years.

Mr. Degman had to leave, so this will be continued.

With no further business, on a motion of Councilman Stelley, seconded by Councilman Vogtli 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, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 1st day of December 2014.

Present:	David Tessmer, Supervisor	Kenneth Martin, Councilman
	Janet Vogtli, Councilman	Becky Jo Summers, Town Clerk
	Mary Clark, Councilman	James Musacchio, Attorney
	Mary Stelley, Councilman	Sue Gamel, Bookkeeper

Others Present: Samantha D'Amato; Tamara Fabbiano; Trish Weiss; Carol Waterman; Dick Agle; Dick Clark; Richard Westlund, reporter Gowanda News and Samantha McDonnell, reporter Observer

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

RESOLUTION # 235: **AGENDA APPROVAL**

Motion made by Councilman Stelley seconded by Councilman Vogtli to approve the agenda as presented after removing the resolution for the Lion's Club using the LKPCC.

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

RESOLUTION # 236: **MINUTES APPROVAL**

Motion made by Councilman Martin seconded by Councilman Vogtli to approve the minutes of the November 3, 2014 town board meeting.

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

RESOLUTION # 237: **ABSTRACT APPROVAL**

Motion made by Councilman Stelley seconded by Councilman Martin that the bills be paid on abstract #21 for 2014 dated December 1, 2014, vouchers # 773 – 809 for \$ 129,339.79:

General – Town Wide	53,796.03	Water District #1	7,001.72
General – Outside Village	6,243.31	Water District #3	2,134.93
Highway	56,885.96	Water District #4	<u>185.64</u>
Special Refuse	3,092.20	Total	\$ 129,339.79

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

Public Access

A resident inquired of a noise ordinance in the town as they have a neighbor who has a band and practices weekly very late in the morning. The Police has been contacted and told her to contact the town. The Board will look into a noise ordinance.

Reports of Department Heads and Consultants

Assessor update memo was handed out.

Code Enforcement Officer reported no permits were issued last month.

Highway & Transfer Station report given by Councilman Clark: the highway department has helped out in areas that were hard hit by the storm.

Public Hearing – 7:30 PM on Local Law 1 – 2014

RESOLUTION # 238: **OPEN SCHEDULED PUBLIC HEARING ON LOCAL LAW NO. 1 OF 2014**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to interrupt Board meeting to conduct a Public Hearing on Local Law No. 1 of 2014, to provide for the codification of the local laws, ordinances and certain resolutions of the town of Collins into a municipal code to be designated the "Code of the town of Collins," as advertised and scheduled for this evening at 7:30 PM.

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

TOWN OF COLLINS
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

PLEASE TAKE NOTICE that, for the purpose of adopting a codification of the local laws, ordinances and certain resolutions of the Town of Collins, said codification to be known as the "Code of the Town of Collins," a public hearing will be held by the Town Board at the Town Hall in the Town of Collins, on the 1st day of December 2014, at 7:30 p.m., to consider the enactment of the proposed local law described and summarized below:

PROPOSED LOCAL LAW NO. 1-2014

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF COLLINS INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF COLLINS"

This local law:

- (1) States the legislative intent of the Town Board in adopting the Code.
- (2) Provides for the designation of the local laws, ordinances and certain resolutions of the Town of Collins as the "Code of the Town of Collins."
- (3) Repeals local laws and ordinances of a general and permanent nature not included in the Code, except as provided.
- (4) Saves from repeal certain local laws and ordinances and designates certain matters not affected by repeal.
- (5) Retains the meaning and intent of previously adopted legislation.
- (6) Provides for the filing of a copy of the Code in the Town Clerk's office.
- (7) Provides for certain changes in or additions to the Code.
- (8) Prescribes the manner in which amendments and new legislation are to be incorporated into the Code.
- (9) Requires that Code books be kept up-to-date.
- (10) Provides for the sale of Code books by the town and the supplementation thereof.
- (11) Prohibits tampering with Code books, with offenses punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.
- (12) Establishes severability provisions with respect to the Code generally.
- (13) Provides that the local law will be included in the Code as Chapter 1, Article II.

Copies of the local law described above and of the Code proposed for adoption thereby are on file in the office of the Town Clerk of the Town of Collins, where the same are available for public inspection during regular office hours.

LEASE TAKE FURTHER NOTICE that all interested persons will be given an opportunity to be heard on said proposed local law at the place and time aforesaid.

NOTICE IS HEREBY GIVEN, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Town Board of the Town of Collins will convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed local law described above and, as deemed advisable by said Board, taking action on the enactment of said local law.

The Supervisor read the notice of public hearing and explained the update to the Code includes all local laws passed since the adoption of the 1987 Town Code. There are a number of items that had been brought up in the past that will have to be looked at to include in the Code. Councilman Martin went through the list of changes that were made to the book.

RESOLUTION # 239: **CLOSE PUBLIC HEARING ON LOCAL LAW NO. 1 OF 2014**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to close the Public Hearing on Local Law No. 1 of 2014 at 7:55 PM.

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

Local Law #1 of 2014 cannot be passed at this time as we are waiting to hear from the DEC for their comments and a SEQR has to be done and passed before the adoption of the local law.

Reports of Department Heads and Consultants, (cont'd)

Parks & Recreation – Samantha D’Amaro reported the inventory has been completed and a lot was thrown out. Pool tables will have to be moved. Monica Smith of the Morning Enrichment Program will help to make a speedy transition moving to the rear of the building. A ping pong table has been donated.

Town Clerk reported November sales of \$4,472.50 with the town's portion \$3,328.77.

Water Department – Matt Wurst will be out for a while. Justin Wallschlaeger is fully certified and will take over for the time. We are not yet set up with the Village of Gowanda as emergency back-up.

Reports of Board and Committees

Councilman Martin attended the Helmuth meeting and reviewed the vouchers.

Councilman Stelley reviewed the vouchers, updated the website and did recreation interviews.

Councilman Clark worked on the PO-17 form for the supervisor for the recreation program.

Supervisor Tessmer attended the Southtowns Community Enhancement and the Erie County Governments meetings; the CDBG tours were cancelled on account of the weather; explained why the driving ban was placed. Scott Martindale, Senior Recreation Advisor is requesting additional staffing. (Packet handed out to look over.)

Old Business

1. Resolution to submit PO-17 for Recreation Supervisor

RESOLUTION # 240: **SUBMIT PO 17 FOR THE POSITION OF RECREATION SUPERVISOR**

Motion made by Councilman Clark and seconded by Councilman Stelley that the following resolution is:

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

WHEREAS, the Town of Collins provides Recreation activities for the Youth of the Town, and

WHEREAS, the Town is in the process of revamping this program, and

WHEREAS, one of the changes the Personnel Committee has recommended is to hire an assistant to the Director of the program, eliminating the need for a Head Counselor and a Head Cashier, and

WHEREAS, at this time, there is no position defined to which to appropriately appoint such an assistant.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board submit to Erie County Civil Service a PO 17 establishing the position of Recreation Supervisor PT for the Town of Collins.

2. Resolution authorizing Supervisor to sign Evans Dispatch Contract

RESOLUTION # 241: **AUTHORIZE SUPERVISOR TO SIGN EVANS DISPATCH SERVICE AGREEMENT**

Motion made by Supervisor Tessmer and seconded by Councilman Vogtli that the following resolution is:

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

WHEREAS, the Town of Collins has agreed to enter into an agreement with the Town of Evans to provide emergency dispatch services to the Town, and

WHEREAS, the Town has also agreed to the proposed fee structure proposed by the Town of Evans, and

WHEREAS, as a result of the ongoing discussions for the Town of Evans to provide emergency dispatch services to the Town of Collins, they have prepared an Agreement between both parties, and

WHEREAS, it is in the best interest of the Town and the safety of our residents to enter into this agreement.

NOW, THEREFORE BE IT RESOLVED, that the Collins Town Board authorize the Supervisor to sign the Agreement with the Town of Evans to provide Emergency Dispatch Services to the Town for the years 2015-2019.

New Business

1. Resolution to approve 2014 Budget Modification

RESOLUTION # 242: **APPROVE 2014 BUDGET MODIFICATION**

Motion made by Supervisor Tessmer seconded by Councilman Martin to approve the following 2014 Budget Modification:

B Fund:

Transfer From:

B 9040.800 Compensation

\$528.92

Transfer To:

B 9010.800 State Retirement

\$528.92

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

Nay 0

2. Lions Club use of LKPCC for annual toy distribution was withdrawn

3. Discussion on Town Clerk Medicare Part B Coverage - request received from town clerk to reimburse for employee and spouse's Medicare Part B coverage of \$104.90 each, per month. Supervisor, Bookkeeper and Town Clerk met with Anne Cooper, our insurance representative, and she said it can be done and is a good idea. The Town Handbook does not cover this so the accountant and Jeff Travers (Employee Handbook) will be contacted on how to set this up.

With no further business, on a motion of Councilman Vogtli, seconded by Councilman Martin the meeting was adjourned at 8:45 pm.

Becky Jo Summers, Town Clerk

A Regular Meeting of the Town Board of the Town of Collins, County of Erie, State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on Monday, the 15th day of December 2014.

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

Others Present: Scott Martindale Senior Recreation Coordinator; Dick Agle; Dick Clark; Deb Martin; Brian Martin; Mary Dankert DCO; Margaret Degenfelder; Herb and June Cook; Todd Struble; Frank Martin and Richard Westlund, reporter Gowanda News

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

RESOLUTION # 243: AGENDA APPROVAL

Motion made by Councilman Stelley seconded by Councilman Clark to approve the agenda after adding Helmuth under New Topics Discussion.

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

RESOLUTION # 244: MINUTES APPROVAL

Motion made by Councilman Clark seconded by Councilman Stelley to approve the minutes of the December 1, 2014 town board meeting with changes of: the ping pong table was donated by Councilman Vogtli and under New Business discussion on Medicare part B after the accountant and Jeff Travers will be contacted for further research.

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

RESOLUTION # 245: ABSTRACT APPROVAL

Motion made by Councilman Vogtli seconded by Councilman Martin that the bills be paid on abstract #22 for 2014 dated December 15, 2014, vouchers # 810 – 853 for \$ 26,354.99:

General – Town Wide	10,720.31	Water District #1	1,259.49
General – Outside Village	182.39	Water District #3	590.92
Highway	11,326.75	Water District #4	<u>1.39</u>
Special Lighting	1,100.80	Total	\$ 26,354.99
Special Refuse	1,172.94		

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

Old Business

1. Resolution to award Tractor purchase bid

RESOLUTION # 246: AWARD BID TO PURCHASE HIGHWAY / PARKS TRACTOR

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

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

WHEREAS, the Town solicited bids for the purchase of a 4WD tractor, and
WHEREAS, Sealed bids were received by, and opened on, December 12, 2014, at 4:00 PM,
and

WHEREAS, two vendors submitted bids for the purchase, but one was not properly formatted and did not include all the required documents, and

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

NOW, THEREFORE BE IT RESOLVED, that the Town of Collins award the purchase of a new and unused 4 wheel drive tractor, as specified, to Lamb and Webster, Inc. of Springville, New York,

including trade-in allowance, for the amount of \$35,750.00, and
BE IT FURTHER RESOLVED, that the tractor be purchased using the 2014 Budget lines
DB5130.200 \$17,875.00 and B7110.220 \$17,875.00

2. Resolution authorizing Supervisor to sign Inter Municipal agreement with Gowanda

RESOLUTION # 247: AUTHORIZE SUPERVISOR TO SIGN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF GOWANDA

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

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

WHEREAS, The Erie County Health Department requires the Town of Collins to provide for an emergency licensed backup Water Operator on an on-call basis, and

WHEREAS, the Town has prepared an Inter-Municipal Agreement with the Village of Gowanda to provide a licensed operator, and

WHEREAS, the Village of Gowanda approved and executed the agreement to provide an operator when needed.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board authorize the Supervisor to sign the Inter-Municipal Agreement with the Village of Gowanda and send copies to the Village of Gowanda and the Erie County Health Department.

3. Senior Recreation request to add staff member

Scott Martindale, Senior Recreation Advisor handed out a packet to the board members explaining the programs and hours of each program show why he is requesting another person.

Public Hearing 7:30 PM – 2015 Dog Kennel Special-Use Permits

RESOLUTION # 248: MOVE TO SCHEDULED PUBLIC HEARING ON 2015 KENNEL SPECIAL-USE PERMITS

Motion made by Supervisor Tessmer and seconded by Councilman Clark to interrupt this Board meeting to conduct a Public Hearing on 2015 Dog Kennel special-use permits as advertised and scheduled for this evening at 7:30 PM.

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

Supervisor Tessmer read the notice of public hearing and stated all facilities have been inspected. He asked for comments for or against on each application, then asked for comments from the floor.

Debra Martin read a letter addressing the issue of barking dogs at Todd Struble's at 3124 W Becker Road that has been going on since the spring of 2014. Barking goes on throughout the day and night and can be heard even with the windows closed and air conditioner on. Since a call to the dog officer barking has been reduced, but still occurs.

Councilman Vogtli asked if padding could be put up.

Todd Struble stated that wild animals run around at night and get the dogs to barking. He has and uses bark collars. They work during the day so they are not home.

Brian Martin stated that people over a mile away hear the dogs barking even with their windows closed and once at 3:00 am he and his children were woken up.

Frank Martin does not care of the number of dogs that anyone would have but they should keep control of them. Last Thursday the dogs barked for six hours from approximately 8 am to 2 pm. He does not want to listen to dogs bark all day long and if you are not home, put the dogs in the house.

Mary Dankert, DCO has called Mr. Struble regarding the barking.

Councilman Vogtli asks if the dogs can be put in a garage during the day.

Supervisor Tessmer said the main issue here is barking and not a kennel problem so he suggests not approving this application and investigating further.

After all comments were heard the public hearing was closed.

RESOLUTION # 249: **CLOSE PUBLIC HEARING ON 2015 KENNEL SPECIAL-USE PERMITS**

Motion made by Supervisor Tessmer and seconded by Councilman Clark to close the Public Hearing on 2015 Dog Kennel special-use permits at 7:57 PM.

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

RESOLUTION # 250: **APPROVE DOG KENNEL SPECIAL-USE PERMITS**

Motion made by Supervisor Tessmer and seconded by Councilman Martin to approve the 2015 Dog Kennel Special-Use permits for the following applicants:

Claudia Beaton, 2406 Cemetery Road, Collins, NY 14034

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

Karen Fedick, 13688 Brewer Road, Collins, NY 14034

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

Richard Young, 2602 Lenox Road, Collins, NY 14034

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

New Business

1. Resolution to make 2014 Budget Modifications and Transfers

RESOLUTION # 251: **APPROVE BUDGET MODIFICATIONS AND TRANSFERS**

Motion made by Supervisor Tessmer and seconded by Councilman Martin to approve the following 2014 Budget Modifications and Transfers:

FROM:

TO:

A Fund

A 1355.100 Assessor Pers Serv \$1,029.50 A 1355.400 Assessor Contractural \$1,029.50

SR Fund

SR 8160.400 Refuse Garbage Contractl \$15.48 SR 8160.440 Refuse Garbage Phone \$15.48

SW-1 Fund

SW1 8320.411 Power Light Heat \$297.60 SW1 8320.441 Purchase Meters Parts \$297.60

SW-3 Fund

SW3 8320.445 Purchase Meters Parts \$263.55 SW3 8320.435 Supplies \$263.55

DB Fund

DB 5110.400 Hwy Pt Tn Contractl \$1,538.76 DB5142.404 Town Snow Contractl Sand \$1,538.76

DB 5148.400 County Snow Contractl \$3,525.15 DB5148.404 Cnty Snow Contractl Sand \$3,525.15

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

2. Resolution to Accept November 2014 Supervisors Report

RESOLUTION # 253: **ACCEPT NOVEMBER 2014 SUPERVISORS REPORTS**

Motion made by Councilman Vogtli and seconded by Councilman Clark to accept the Town of Collins Supervisor's Report as submitted, for the month of November 2014.

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

3. Resolution to increase salary of Justin Wallschlaeger

RESOLUTION # 254: **INCREASE SALARY OF JUSTIN WALLSCHLAEGER, LICENSED WATER OPERATOR**

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

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

WHEREAS, The Erie County Health Department requires the Town of Collins to have two licensed operators on staff, and

WHEREAS, the Town hired Justin Wallschlaeger in October 2013, to work part-time in the Water Department and begin his training for licensure, and

WHEREAS, Justin has completed his one year of training, attended operator school, passed the operator examination and was certified by the Erie County Health Department as a II-B operator.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board increase Justin Wallschlaeger's part-time salary to \$18.64 per hour, effective December 16, 2014 and

BE IT FURTHER RESOLVED, that Justin Wallschlaeger be put into a position reflecting his new job description.

Workshop Topics

2014 – The Year in Review – Supervisor Tessmer went through his list of things that were done during the year.

New Topics – Discussion and Comments

1. Helmuth - an email was received from the Seneca Nation proposing giving seven Christmas bonuses of \$500.00 from the reserve fund to the last remaining employees. Supervisor Tessmer stated public monies cannot be given as gifts. It is not known how much money is left in reserve and any money left over should go back to the member communities.

With no further business, on a motion of Councilman Clark, seconded by Councilman Vogtli the meeting was adjourned at 8:37 pm.

Becky Jo Summers, Town Clerk