

THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, JULY 9, 2014, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.

PRESENT:	Supervisor	Rosaline A. Seege
	Councilmen:	Ellen M. Mathis
		Michael W. Perry
		Karen A. Ricotta
		John Tobia, Jr.
	Town Clerk	Margaret J. Orrange
	Town Attorney	Richard M. Schaus
	Code Officer	Phil Tremblay

Item 1. Supervisor Seege called the meeting to order and led the Pledge to the Flag. She then made a presentation of a certificate honoring Annie Metcalf, Principal of North Collins High School, who has been honored as “New York State High School Principal of the Year” and a certificate to Corinne Leone, who has been honored as the 2014 Race Honoree of the “Susan B. Komen Race for the Cure”.

Item 2. **MINUTES.** Mr. Perry moved to approve the **June 2014 Minutes** as previously presented. Second: Ricotta.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

DEPARTMENTAL REPORTS

Item 3. **LIBRARY** Board President Susan Alessi thanked all the Board members who had helped with Legislator Mills’ Library Fundraiser. Summer reading programs are underway. She had no Parks Committee report.

Item 4. **RECREATION REPORT.** Co-leader Jan Mathis announced that Dominic Fricano had won the Elementary School division of the Photo Contest and Aurora Klawinski had won the High School Division. The Fishing Derby was a success. Volleyball nets are ordered and he is working on the Frisbee Golf. Day Camp has 102 children registered. The “white elephant” building will not be used this year because of rodent activity. Three “lawn chair music” concerts are scheduled. An error in the Day Camp Counselor pay schedule required:

BE IT RESOLVED that Kayla Kron be paid \$9 per hour for the Summer Camp program. Moved: Seege. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

BE IT RESOLVED that James Landahl may pick up used soda cans at Fricano Park in exchange for one hour per week of Park clean-up. Moved: Tobia. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

HEARING OF VISITORS

Item 5. Scott Degenfelder is concerned about the repair of Luther Gulf Road, because he needs access to his farm. Mr. Winter is working on this repair.

Item 6. Jennifer and Jeffrey Ebersole expressed their concerns with problems with Little League funding and the Soccer program being under the same auspices. Mike Gullo is working with an attorney to form a North Collins Youth Sports Association that will oversee these activities in the future. Mr. Schaus questioned whether the Town Board would sanction such an association.

Item 7. **LAWTONS WATER COMPANY.** Members of the Lawtons Water Company inquired about Town Board assistance with their water problems. The Erie County and State Health Departments state that there is a possibility of ground water seeping into the well. Mr. Schaus has contacted engineer Mark Alianello, who is familiar with such water problems. There are several options for remediation of this problem, and Mr. Schaus recommended:

BE IT RESOLVED that the Town Board retain MDA Consulting Engineers to survey the problem and make recommendations to the Town Board. Moved: Ricotta. Second: Tobia

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 8. Bonnie Noto again requested cleaning and painting of the Senior Center. Mrs. Mathis stated that work would be done after Day Camp ends.

Item 9. Karl Simmeth, Community Liaison for Assemblyman David J. DiPietro, stated that Mr. DiPietro is interested in assisting with the monument for the exploded 1958 Air Force plane.

Item 10. Travis Winter has applied for a permit to erect a Windmill on property he is leasing on 3333 Langford Road. The Windmill would be erected by Niagara Wind and Solar, which was represented by Padma Kasthurirangan. The tower would be 160 feet and will require a variance from the Windmill law. The permit requires a Site Plan Review by the Planning Board, and Mr. Tobia moved:

BE IT RESOLVED that subject to receipt of the application and payment of fees, and filing of the short form SEQR, the Town Board requests that the Planning Board perform a **Site Plan Review** on the application of **Niagara Wind and Energy** for a permit to erect a windmill on property at 3333 Langford Road. Second: Seege.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 11. An application for a **Variance** to build a garage on School Street closer to his home than required by the Town code has been filed by Richard Stevens of 2244 School Street. Mrs. Seege moved:

BE IT RESOLVED that the application for a variance by Richard Stevens be submitted to the Zoning Board of Appeals. Second: Ricotta.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 12. Mr. Tremblay presented a problem with access to the town-owned Marshfield Cemetery. The access road through the neighboring resident's private property has been blocked. Mrs. Seege moved:

BE IT RESOLVED that the Town Board requests that the Highway Superintendent obtain a "right-of-entry permit" from the property owners and obtain the cost of reopening the original access road to the Marshfield Cemetery. Second: Mathis.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 13. **SUPERVISOR'S REPORT** Mrs. Seege received the following:

1) From Senator Gallivan, that he will meet with her and the Board members on August 27, at 9:30AM.

2) From Community Bank, that accounts are listed on the Town's Federal ID number that do not belong there; Strawberry Festival, Winterfest.

3) From Blue Cross, requesting determination on the policies. The Board would like to again meet with Tom Fox to discuss this, at a work session to be held on July 31, at 7PM.

4) BE IT RESOLVED that Accounts Expenditure A7020.41 and Revenue A2001F are hereby created to account for "Frisbee Golf" donations. Moved: Seege. Second: Tobia

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

5) Mrs. Seege will list proposed budget transfers for the August meeting.

6) Mr. Tobia moved:

BE IT RESOLVED that the Town Board accepts the **Supervisor's Monthly Report for June 2014** and files it with the Town Clerk. Second: Mathis.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Tobia. Noes 0. Motion carried.

COUNCILMEN REPORTS

Item 14. Mr. Tobia reported on his attendance at the School Board meeting. He will meet with the principals on July 10.

Day Camp may need a second bus for field trips.

Item 15. Ms. Ricotta presented and moved:

BE IT RESOLVED that Thomas R. O'Boyle is hereby appointed as **Marriage Officer** for a term to expire on 12/31/2015. Second: Perry.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Dog Control Officer Jeanne Ebersole explained three dangerous dog complaints that are now being handled by the Court. She explained their shelter and rehoming policies.

Ms. Ricotta requested that the previous administration’s computer tower be stored in the Records Room since the audits are completed, but Mrs. Seege would like to keep it for another month. Mrs. Seege stated that the audit is finished and a resolution for the reserve account will be on the August agenda.

Ms. Ricotta also requested that the Town Board members be provided with tentative meeting agendas by the Monday prior to the Monthly meetings.

There is an issue with the Village Police writing tickets in the Town, and Mr. Schaus is researching this matter.

Ms. Ricotta noticed that the June Abstract checks were all dated as May 13. Mrs. Seege explained that a mistake had been made.

A new time clock for the Helmuth Dispatch has been ordered. Ms. Ricotta and Mr. Perry will attend the Helmuth Advisory Board meeting.

Item 16. Mr. Perry is working with Mr. Winter to remediate the drainage problems outside the Court building door. Members of the Town Board met at the site and approved his plan. The Fricano Park bathrooms are now locked due to vandalism.

The Town Hall air conditioner condensers are plugged. There needs to be service and maintenance. He presented:

BE IT RESOLVED that the Town Board hire Jerry Hidy to provide regular HVAC service to all Town buildings, including the Town Hall, Senior Center, and Library.

Moved: Ricotta. Second: Mathis.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 17. Mrs. Mathis was enthusiastic about meeting some new residents.

Item 18. **HIGHWAY SUPERINTENDENT.** Mr. Winter was not in attendance. Mrs. Orrange presented his report. Town roads Boston, Belcher, Kaiser, Marshfield and Taylor have been oiled and chipped. Intersections have been swept. Mr. Winter requested permission to fix the water drainage problem at the Town Hall by replacing the sidewalk and fixing the driveway.

Item 19. **TOWN ATTORNEY REPORT.** Mr. Schaus reported on an accident at the Ketchum Road landfill and requested:

BE IT RESOLVED that the Town Board authorize repairs to two monitoring wells at the Ketchum Road Landfill, according to the DEC requirements. Moved: Perry. Second: Ricotta.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

A partial settlement of the Rocky Mountain Road lawsuit has been settled.

Item 20. **TOWN CLERK REPORT.** Mrs. Orrange reported

1) Rite Aid has offered to hold a Flu Shot clinic, at no cost to the Town. The Town Board has no objection.

2) The State DOT has approved the 45 MPH speed reduction for Larkin Road.

3) The **Town Clerk’s Monthly Report for June 2014** was submitted to the Supervisor with a check for \$438.02.

Item 21. Mrs. Seege read a thank you from Meals on Wheels for providing a site.

AUDIT OF BILLS

Item 22. Mrs. Seege moved:

BE IT RESOLVED that payroll for Glenn Kerwin and the following claims, as set forth in Abstract #7 are approved for payment by the Town Board:

A:	#401,403-404,406-407,409,411,413-431,437-438,441,444,462-465	\$15,521.32
B:	#408,410,412,432-436,442,445-447	9,166.87
DA:	#440,449-450,456	1,183.31
DB:	#402,443,448,451-455,457	103,379.73
SF:	#458-460	4,785.84
SM:	#405,461	176.16
SR:	#439	13,171.84
	TOTALS:	<u>\$147,385.07</u>

Second: Tobia .

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 23. Mrs. Seege moved:

BE IT RESOLVED that the Town Board enters into an **Executive Session** at 9:30PM to discuss current litigation and the employment history of a particular person.

Second: Tobia.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 24. During Executive Session, Mr. Tobia moved:

BE IT RESOLVED that Agnes Parks be allowed to address her concerns to the Town Board. Second: Perry.

ROLL CALL: Ayes: Seege, Tobia. Noes: Mathis, Perry, Ricotta. Motion defeated.

Item 25. **ADJOURNMENT.** The Town Board returned to Regular Session at 9:50PM and adjourned.

Respectfully submitted,

Margaret J. Orrange
North Collins Town Clerk

THE NORTH COLLINS TOWN BOARD HELD A WORK SESSION ON THURSDAY, JULY 31, 2014 AT 7:00PM IN THE TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.

PRESENT:	Supervisor	Rosaline A. Seege
	Councilmen:	Ellen M. Mathis
		Michael W. Perry
		Karen A. Ricotta
		John Tobia, Jr.
	Town Clerk	Margaret J. Orrange
	Town Attorney	Richard M. Schaus

Item 1. Mrs. Seege led the Pledge to the Flag and called the meeting to order.

Item 2. Ms. Ricotta moved

BE IT RESOLVED that the Town Board enter into Executive Session at 8:17PM. Second: Mathis.

ROLL CALL: Ayes: Seege, Tobia. Mathis, Perry, Ricotta. Motion carried.

BE IT RESOLVED that the Town Board return to Regular Session at 9:03PM. Moved: Perry. Second: Mathis.

ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

It was noted that Jordan Griffin has submitted a letter of resignation to the Supervisor as coordinator of the Helmuth Fire Control effective August 15, 2014.

Item 3. Ms. Ricotta moved to adjourn at 9:10PM. Carried.