

**THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, SEPTEMBER 10, 2014, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

<b>PRESENT:</b>	Supervisor	Rosaline A. Seege
	Councilmen:	Ellen M. Mathis
		Michael W. Perry
		Karen A. Ricotta
		John Tobia
	Town Clerk	Margaret J. Orrange
	Highway Superintendent	David J. Winter
	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.

**DEPARTMENTAL REPORTS**

Item 2. **LIBRARY** Board President Susan Alessi requested permission to sell pumpkins in the Town Hall parking lot on September 27. The Recreation Dept. would also like to play “pickle ball” there. Volunteers and donations to work the “Celebrate North Collins” event are welcomed.

Item 3. Mr. Tobia requested and moved:

BE IT RESOLVED that Amelia Wroblewski is hired as an “after school counselor” at \$8 per hour. Second: Perry.

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

Mr. Tobia would like a meeting with residents and team program coaches.

Item 4. The Town Clerk presented the **Historian’s Report** in her absence.

Item 5. **CODE ENFORCEMENT OFFICER.** Mr. Tremblay questioned the access road problem for the **Marshfield Cemetery**. Mr. Schaus will send a letter to the adjacent property owner, informing him that he does not have the right to block access to the cemetery.

Mr. Tremblay questioned the monthly cost of his cell phone at \$110. for basic service.

**HEARING OF VISITORS**

Item 6. Dicci Montaldi again requested that the Town Board use the sound system for the Town Hall. Mrs. Seege will contact Judge Stevens about this.

Ann Converso invited all to the **Open House at Schoolhouse #8** on Sunday, September 28, at 2PM.

Item 7. Margaret Degenfelder stated that her son is in the process of buying farmland on **Luther Gulf Road**, and access is blocked off by a culvert cave-in. Mr. Schaus is working on the solution.

Item 8. James Lint inquired about the status of the **Lawtons Water Project**. Mr. Schaus stated that the Town Board would be hiring an engineer to prepare options.

Item 9. Bookkeeper Agnes Parks would like a matter concerning her discussed, but Mr. Schaus stated that it would be dealt with under old business.

Item 10. Ms. Ricotta moved to approve the **August 2014 Meeting Minutes** as previously presented. Second: Mathis.

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

Item 11. Mr. Perry moved:

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

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

Item 12. Mrs. Seege presented:

BE IT RESOLVED that the Town Board accepts the **proposed Local Law #1 for 2014**, which would allow the Town of North Collins to adopt a budget for the year 2015 that would **override the tax levy limit** as defined by general Municipal Law 3-c. and sets a **Public Hearing for October 8 at 7:30PM**. Moved: Tobia. Second: Perry.  
ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 13. BE IT RESOLVED that the following **Budget Modifications** be made:

Increase A1355.4 Assessment by \$3008  
Increase A1355.41 Assessment by \$7114  
Increase A1460.4 Records Management by \$263.  
Increase A5132.4 Highway Garage by \$1830 to \$6245.  
Total: Transfer \$16,630 from A8686.4 Contingency  
Moved: Seege. Second: Ricotta.

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

Item 14. BE IT RESOLVED that the following **Budget Modifications** be made:

Increase A7020.41 Frisbee Golf by \$1100.  
Increase A2001F by \$1100. to match donations.  
Moved: Seege. Second: Tobia.

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

Item 15. **AUDIT REPORTS**. Mrs. Seege presented Audit reports from Freed/Maxick for the **Town Clerk and the Town Justices**.

Item 16. **HEALTH CARE**. Mrs. Seege presented and moved:

BE IT RESOLVED that the Town Board adopts **Employer Medical Advantage for Retirees 65+** policy Forever Blue 799 effective October 1 at \$171. per month for all retirees. Second: Tobia.

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

BE IT RESOLVED that the Town Board continues the \$1500 ProFlex plan for Donna Kohn. Moved: Tobia. Second: Ricotta.

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

BE IT RESOLVED that the Town Board pays the Medicare Part B monthly cost for Francis Kohn and Margaret Orrange. Moved: Tobia. Second: Ricotta.

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

### **COUNCILMEN REPORTS**

Item 17. Councilman Perry reported that the refrigerator at the Senior Center needs to be replaced. Vandals damaged the block building at Fricano Park and repairs need to be made.

Item 18. Following a meeting with the Town of Evans re. Helmuth Dispatch replacement, Mrs. Mathis moved:

BE IT RESOLVED that Supervisor Seege is authorized and directed to sign a letter of intent to the Town of Evans requesting to join their dispatch effective 1/1/2015. Second: Tobia.

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

BE IT RESOLVED THAT Supervisor Seege send a letter regarding North Collins' intent to seek alternate dispatch to the Village of North Collins, Town of Collins, and Seneca Nation, contingent upon cost and the ability of Erie County Emergency Services to be able to include all the services in one place. Moved: Perry. Second: Mathis.

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

Mr. Perry noted that the Village Board is considering the possibility of having the High School vote for a student representative to sit on the Village Board.

Item 19. Ms. Ricotta wanted it noted that the State Sex Offender registry is available on the school's website.

She inquired about Mike Birtchnell's written resignation. It was given verbally, but it has not been filed with the Town Clerk.

The Flags at the parks need to be lit at night. Mr. Winter will obtain solar lights.

Item 20. Ms. Ricotta presented and moved:

BE IT RESOLVED THAT Once the bills have been signed off on by Board Members and approved for payment at the Town Board Meeting, they MUST be paid within five business days. The completed bills, check stubs, etc, MUST be returned to the Town Clerk no later than 6 business days after the Town Board Meeting. If an approved bill cannot be paid within this time frame, the Board Members MUST be notified via email within these 5 business days, stating the specific reason for the delay.

AND FURTHER RESOLVED that the bills as well as the unsigned checks are not to leave the Town Hall. Second: Mathis.

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

Item 21. Mrs. Mathis questioned why three months of charges from Balltoilets have not been paid. She met with State Senator Patrick Gallivan, and asked for assistance with the Lawtons Water problem.

Item 22. Mr. Tobia spoke of Planning Board concerns. A meeting will be on September 26 at 7PM to consider modifications to the Wind Energy Law.

Item 23 **TOWN ATTORNEY REPORT**. Mr. Schaus has been contacted by the DEC regarding an odor, seemingly coming from the Ketchum Road Landfill. He requested: BE IT RESOLVED that the Town Board hire **Frontier Technical** engineer at \$875. from A1440.4 to test a well on Stearns Road. Moved: Perry. Second: Mathis.

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

Other neighboring wells were previously tested.

Item 24. Mr. Schaus requested:

BE IT RESOLVED THAT THE Town Board retain **MDA Consulting Services** for \$15,000. from an account to be determined to provide a preliminary study of the **Lawtons Water Company** problem. Moved: Ricotta. Second: Seege.

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

BE IT RESOLVED that the Town Board hold a public hearing on the uses of **Community Development Block Grant** funding on Wednesday, October 8, at 7:45PM. Moved: Perry. Second: Seege.

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

Item 25. **TOWN CLERK REPORT**. Mrs. Orrange presented:

1) BE IT RESOLVED that the Town Board authorizes and directs Supervisor Seege to sign the agreement with **Meals on Wheels for WNY** for use of the Senior Center at no cost to them. Moved: Mathis. Second: Tobia.

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

2) Invitation to Board members to attend the **Senior Citizen Thanksgiving Dinner** on November 19 at noon in the Senior Center. RSVP required.

3) Check from Time-Warner for Cable Fees for \$1296.71.

4) From NYSORPS, that the Town's final State equalization rate remains at 100%.

5) The Town Board opted not to receive mailed copies of the *State Register*.

6) A grant writing class will be offered at the Sardinia Historical Society.

7) Mrs. Orrange inquired about a policy for receiving and returning building keys.

8) The **Town Clerk's Monthly Report for August 2014** was submitted to the Supervisor with a check for \$896.87.

Item 26. **HIGHWAY SUPERINTENDENT**. Mr. Winter reported:

1) The Town Hall road drainage/sidewalk project has been completed. He will have a final cost figure next month to present to the Village, to decide reimbursement amounts.

National Fuel Gas paid \$2510. towards sidewalk replacement.

2) The cost of snow salt has increased by 25%, which amounts to a \$10,000 increase.

3) Cost of tires has increased due to increases in petroleum products.

4) An insurance check for \$11,664. needs to reimburse account DB5130.4 for repairs to the building. Mrs. Seege will provide an audit of the claims.

5) A culvert on Applewood Road needs to be replaced. Union Concrete has given an estimate of \$53,000. for replacement of the culvert. Union Concrete has an emergency time and materials contract, which would allow the work without additional bidding.

6) **Luther Gulf Road** culvert replacement will cost \$100,000. Mr. Schaus will send letters to adjacent property owners.

- 7) Mr. Winter would like to be placed on the agenda under "Department Heads".  
 8) He is working on providing water at New Oregon Park. Mrs. Mathis will purchase solar lights for the flagpoles at the parks. A new stone table has been erected in Dankner Park.

### AUDIT OF BILLS

Item 27. Ms. Ricotta moved:

BE IT RESOLVED that payroll for Glenn Kerwin and the following claims, as set forth in Abstract #9 are approved for payment by the Town Board:

A: #539-540,542-43,545,47-48,551-564,566,570,580,83,591-98,602,04-05,607	
	\$ 20,933.88
B: #544,46,565,67-68,573,579,581,599-600,603,606	6,287.42
DA: #571-72,582,584-586	3,190.52
DB: #549,574-578,587-590	12,838.75
SM: #541,550,601	280.30
SR: #569	<u>13,171.84</u>
TOTALS:	\$56,722.71

Second: Mathis .

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

### NEW BUSINESS

Item 28. Mrs. Seege presented and moved:

BE IT RESOLVED that **Holiday Pay for Helmuth dispatchers** shall be set at time and one-half on the same holidays schedule as provided for the Highway employees. Second: Tobia.

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

BE IT RESOLVED that the **Secretary for the Planning, Zoning, and Assessment Review** Board shall be compensated at a rate of \$13.00. per hour, submitted on voucher and paid on payroll. Second: Mathis.

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

BE IT RSOLVED that Full-time employees called to serve on **any jury duty** shall receive \$40. per day, and part time employees shall receive no extra pay for time served. Second: Mathis.

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

Item 29. Mr. Perry moved:

BE IT RESOLVED that the Town Board enter into **Executive Session** at 10:08PM to discuss current litigation and proposed acquisition of property, when public discussion could affect the value of such property. Second: Mathis.

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

Ms. Ricotta moved to include the Town Attorney and the Town Clerk. Second: Mathis.

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

Mrs. Seege moved to end the Executive Session at 10:20PM. Second: Tobia.

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

Mr. Tobia moved to return to Regular Session at 10:20PM Second: Perry.

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

Item 30. A discussion was held regarding a complaint from Bookkeeper Agnes Parks.

Item 31. **ADJOURNMENT**. Motion to adjourn at 10:47PM by Perry. Second: Mathis. Carried.

Respectfully submitted,

Margaret J. Orrange  
 North Collins Town Clerk