

THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, FEBRUARY 11, 2015, 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
	Highway Superintendent	David J. Winter
	Town Attorney	Richard M. Schaus

Item 1. Deputy Supervisor Perry called the meeting to order, led the Pledge to the Flag, and called for a Moment of Silence in memory of recently deceased Town Justice Ward W. Weiser. Supervisor Seege arrived at 7:15PM due to weather delay.

Item 2. **MINUTES.** Mr. Perry moved to approve the January Regular and Organizational Meeting Minutes as previously presented with the following correction: Remove Alicia Jaworski as secretary of the Board of Assessment Review and add Heidi Kibler at \$13. per hour. (Item 12 Organizational Meeting). Moved: Ricotta. Second: Mathis.
ROLL CALL: Ayes: Mathis, Perry, Ricotta, Tobia. Noes 0. Motion carried.

Item 3. Mr. Tobia welcomed Elizabeth Novoa, **North Collins High School Student Representative** to the Town Board, and issued her an oath of office.

Item 4. **WINDMILL.** Mr. Tobia inquired of Attorney Schaus about the status of the revised Windmill Law. Mr. Schaus stated that the new law is almost finished, and that the applicant would be able to apply for a building permit for the foundation, but not to install the windmill at this time.

HEARING OF VISITORS

Item 5. Victoria Greene gave a presentation about Ambit Energy, an alternative energy supplier for the town's gas and electric accounts. Street lighting is not an acceptable account for them. She will do a comparison of the Town's rates with Ambit's.

Item 6. Brenda O'Neil and Ruth Ann Rocque gave a presentation on the Rural Transit Program. The free program began in 1990, funded through Community Development, but ran a deficit in 2014, so they are asking for a small contribution from the participating municipalities. North Collins' share is \$216.

DEPARTMENTAL REPORTS

Item 7. **Town Justice** John Stevens reported that the January 2015 court reports have been completed, checks issued, and all forwarded to the proper agencies. With the passing of Justice Weiser, all funds will be transferred into one account, and all court dates will be held. If need arises, Eden's Judge Cooper will be called on to substitute, at a per diem rate set by the Town Board. Ms. Ricotta moved:
BE IT RESOLVED that the compensation for Justice Stevens be increased by fifty per cent (50%) of the balance of Judge Weiser's salary for the balance of 2015. Second: Mathis.
ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 8. **Library Board** President Susan Alessi stated that they were pleased with the winter maintenance of their parking lot.

Item 9. **RECREATION REPORT.** Recreation Director Jan Mathis spoke of ongoing programs. He would like the portajons obtained for April in Fricano Park and for May in the other parks. The department is planning "Christmas in July," drive-in movies, tubing day, family campout, and concerts in the parks.

Item 10. **SCHOOL REPORT.** Student Representative Elizabeth Novoa reported on Eagle Energy Day (May 15) and a positive increase in students' scores on the "Common Core" exams.

The Drama Department is producing "Beauty and the Beast" on March 19, 20, and 21.

HEARING OF VISITORS None wished to be heard at this time.

Item 11. **SUPERVISOR'S REPORT.** Mrs. Seege reported the following:

- 1) The request for AUD extension has been filed with the State Comptroller's office. The report will be completed next month.
- 2) The **January and February 2015 Supervisor's Monthly Reports** will be submitted next month. The receipts report was submitted to the Town Board. Abstract #13 for 2014 needed to be divided into 13 and 15. The total is still the same. There is no Abstract #14 for 2014.

Item 12. **APPOINTMENTS.** Mrs. Seege presented:

- 1) BE IT RESOLVED that **Michael Drumm** is hereby reappointed to a five year term on the **Planning Board**, such term to expire 12/31/2019. Moved: Tobia. Second: Ricotta. ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.
- 2) BE IT RESOLVED that Brendan Orrange is hereby reappointed to a five year term on the **Board of Assessment Review**, such term to expire 9/30/2019. Moved: Tobia, Second: Ricotta. ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.
- 3) BE IT RESOLVED that Jennifer Ebersole is hereby appointed to a seven year term on the **Recreation Board**, such term to expire 12/31/2021. Moved: Seege. Second: Perry. ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.

Item 13. **SUPERVISOR'S CORRESPONDENCE.** Mrs. Seege received:

- 1) Proposed resolutions regarding the Tax Freeze from the Association of County Governments. Mr. Tobia moved:
BE IT RESOLVED that the North Collins Town Board adopts the resolution supporting Participation in the Countywide Government Efficiency Plan and directs the Town Clerk to submit same to Erie County. Second: Perry.
ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.
- 2). From County Executive Polancarz, that the Rural Transit program was funded by Community Development Block Grant, but that the Lawtons Water Company was one and one half points short. There may be additional funds released later, and it is hoped that the engineering study will be done by then. Sen. Gallivan's office has offered \$75,000 in State funding for the project. Mr. Schaus explained the process for forming a water district.
- 3) Unemployment charges from Helmuth employees are costing \$320. weekly.
- 4) Mr. Schaus sent information regarding the Supervisor's signature actually required on pay checks. Mrs. Seege stated that paychecks could be drawn on Community Bank if available
- 4) "Champions for Meals" program would like local officials to take a turn volunteering for Meals on Wheels during the week of March 16.

COUNCILMEN REPORTS

Item 14. Mr. Perry and Ms. Ricotta would like a "Hometown Heroes" plaque presented to Chris Pulinski, Jr. for his assistance in stopping a fire in a woman's car following an accident.

Item 15. Ms. Ricotta presented:

- 1) BE IT RESOLVED that an addendum on the Town's Procurement Policy , item #7, stating "Failure to follow these policies may require the purchaser to be personally responsible for the payment of the bill. Moved: Ricotta. Second: Mathis. ROLL CALL: Ayes: Mathis, Perry, Ricotta, Seege, Tobia. Noes 0. Motion carried.
- 2) Notification that Windows 7 will be obsolete soon.
- 3) Dog Control Report for January.
- 4) Village Police Report.
- 5) BE IT RESOLVED that Councilmen Ricotta and Mathis will perform the required audits of the Town Court, Town Clerk, and Supervisor. Moved: Seege. Second: Tobia.

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

6) Helmuth Update: Run cards are required to be kept for 5 years. Electronic equipment is being stored in Evans.

7) Ms. Ricotta moved:

BE IT RESOLVED that in order to provide better access to current expenditure activity, the Town Clerk will have viewing access to the Williamson accounting program.

Second: Mathis.

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

8) BE IT RESOLVED that the Deputy Supervisor shall have access to the Supervisor's office, checks and mail during the Supervisor's absences. Moved: Ricotta. Second: Mathis.

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

Item 16. Mrs. Mathis attended the School Board meeting and reported that no budget is available at this time due to waiting for the State's allotment information.

Item 17. Mr. Tobia thanked the fire companies, Highway Department employees, and the Emergency Squad for their winter protection

He stated that Brian Gaglione will be assuming chairmanship of the youth soccer league.

Mr. Tobia moved:

BE IT RESOLVED that the North Collins Little League and Soccer programs may obtain sponsors for fence banners for Fricano Park for the April – October 2015 season.

Second: Ricotta.

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

Item 18. The Planning Board will be holding a community meeting on the Planning Survey Results on Saturday, February 21, at 10AM and a Noon for the Veteran's Park committee.

Item 19. Rec Director Mathis would like to replace Bonnie Noto on the Recreation Committee. She is currently the Senior Representative.

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

Item 20. **TOWN ATTORNEY REPORT.** Mr. Schaus reported that the Rocky Mountain Road decision has been filed in the County Clerk's office for a settlement amount of \$18,500. The plaintiff has 30 days to appeal. It has not been determined how this amount would be split with Erie County.

Item 21. **HIGHWAY SUPERINTENDENT.** Mr. Winter reported:

1) He has had to use 310 tons of road salt and 200 tons of sand so far this year.

2) His men are working split shifts to cut back on overtime pay.

3) The Department has refurbished a 1983 dump truck.

4) The Langford-New Oregon Fire Company has made an arrangement for the Town to use their roller for road oil and chipping, which saves on the rental fees.

5) He would like to attend:

BE IT RESOLVED that Superintendent David Winter is authorized to attend Highway Superintendents' Advocacy Day in Albany April 4 and 5, and any other schools available during the year. Moved: Perry. Second: Seege.

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

6) He will try to fix any dangerous situations due to snow buildup, if he is notified.

7) Mr. Winter requested:

BE IT RESOLVED that Superintendent David Winter is authorized to contact National Fuel Gas regarding expansion of Natural Gas Service in the Town. Moved: Tobia. Second: Seege.

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

8) The Agreement to Spend Highway Funds for 2015 has been signed by the Town Board and filed with the Town Clerk.

Item 22. **TOWN CLERK REPORT.** Mrs. Orrange reported

1) She contacted General Code regarding the code update and they stated that the Town should receive the next step in April.

2) Notification has been posted and advertized regarding the Planning Board public meeting on February 21.

- 3) Invitation from the Langford-New Oregon Fire Company to their Installation Dinner on February 28.
- 4) The Town of Brant sent a sympathy card to the Town on the passing of Justice Weiser.
- 5) Jerry Hidy submitted proposals for the furnace and air conditioning replacements at the library.
- 6) The Town Clerk Monthly Report for January was submitted to the Supervisor with a check for \$390.

Item 23. **AUDIT OF BILLS** Ms. Ricotta moved:

BE IT RESOLVED that payroll for Glenn Kerwin and the following claims, as set forth in Abstract #2 are approved for payment by the Town Board:

A: #21-22,24,26-27,30-31,33-34,36,38-39,61-84,89091,95	\$21,872.46
B: #28-29,32,85,94	6,631.92
DA: #40-50,59	17,962.24
DB: #23,51-58,60,88,95	45,663.01
SF: #86	23,333.33
SM: #25,35,37	340.19
SR: #87	12,747.42
TOTAL:	\$128,490.57

Second: Seege.

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

Item 24. Mrs. Seege moved:

BE IT RESOLVED that the Town Board enter into **Executive Session** at 10:00PM to discuss current litigation and the employment history of a particular person. Second: Mathis.

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

BE IT RESOLVED that the Town Board return to **Regular Session** at 10:22PM. Moved: Perry. Second: Mathis.

ROLL CALL: Ayes: Mathis, Perry, Ricotta. 0. Motion carried. (Seege and Tobia did not return).

Item 25. BE IT RESOLVED that the correct total of Abstract #2 is \$128,490.57. Moved: Perry. Second: Mathis.

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

Item 26. **ADJOURNMENT.** Motion to adjourn at 10:23PM by Ricotta. Second: Perry. Carried.

Respectfully submitted,

Margaret J. Orrange
North Collins Town Clerk

RESOLUTION SUPPORTING TOWN OF NORTH COLLINS PARTICIPATION IN COUNTY-WIDE
GOVERNMENT EFFICIENCY PLAN

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget, and

WHEREAS, the new law encourages local governments to generate long-term tax relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years: and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, as exemplified in the recent establishment of the Buffalo Erie Niagara Land Improvement Corporation in 2012, this community has a history of receiving recognition by the State for demonstrating successful regional collaborations involving many municipalities; and

WHEREAS, Erie County has offered to coordinate the development of such Government Efficiency Plans as the “lead agency” on behalf of all other interested municipalities; and

WHEREAS, the Town of North Collins is interested in intergovernmental cooperation with Erie County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit,

NOW, THEREFORE, BE IT RESOLVED that the Town of North Collins seeks to ensure that Town homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Town of North Collins did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded, would disqualify the Town from participation in the Property Tax Cap Freeze Credit Program; and

BE IT FURTHER RESOLVED that the North Collins Town Board does hereby express its support for, and participation in an Erie County-wide Government Efficiency Plan; and

BE IT FURTHER RESOLVED that the Town Board urges the New York State Division of the Budget to approve Erie County’s coordinated Government Efficiency Plan with local governments with the understanding that the Town has played an active role in the identification of preexisting and implementation of new shared services, consolidations, or merges, and operational efficiencies within the Town of North Collins for inclusion in the county-wide plan; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Erie County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney, the Director of the Division of Budget and Management, and the Association of Erie County Governments.

Moved: Councilman Tobia. Second: Councilman Perry.

ROLL CALL: Mathis, Perry, Ricotta, Seege, Tobia. Motion Carried.