

THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, FEBRUARY 10, 2016, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.

PRESENT:	Supervisor	John M. Tobia
	Councilmen:	Ellen M. Mathis
		Michael W. Perry
		John Mrozek
		Peter Robbins
Town Clerk	Lynn M. DiVincenzo	
	Highway Superintendent	David J. Winter
	Town Attorney	Richard M. Schaus

Item 1 Supervisor John Tobia called the meeting to order, led the Pledge to the Flag,

Item 2. Special Recognition of Officer Ben Pisa who saved a young mans life, Office Scott Joslyn gave a history about the officer.

Item 3. Office Scott Joslyn also discussed the drug problem here in North Collins. He will be working with the Board to help put a presentation together for the community to become more aware and help put a stop to drugs in our community.

Item 4. **MINUTES.** John Tobia moved to approve the January Regular minutes as previously presented: Moved: Mrozek. Second: Perry.
 ROLL CALL: Ayes: Mathis, Robbins, Mrozek, Tobia, Perry. Noes 0. Motion carried.

Item 5. **AUDIT OF BILLS** M. Perry moved:
 BE IT RESOLVED as set forth in Abstract #2 and 201 are approved for payment by the Town Board:

Abstract 201-

A: #50, 57-64, 67-69	\$7001.67
B: #60,66-68	\$2,476.96
DA: #	
DB: # 59	\$1,839.31
SF: #	
SM: #	
SR: #65	\$12,109.94
TOTAL:	\$23,427.88

Abstract 002

A: #42,44-54,74,76-82	\$11,648.93
B: #71,75,80	\$836.33
DA: #55-62,80	\$ 4551.28
DB: # 63-70,72,73,80	\$ 17,560.55
SF: #	
SM: #	
SR: #	
TOTAL	34,597.09

Second: Ellen Mathis

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

Item 6. **VISITORS: Ben Swanekamp from Erie County Health Department** spoke on the Lawtons water issue and stated that 90% of the residents signed the petition for a water district.

Mr. Wilder the owner and operator of the Lawtons water asked the Town Board to help make the Lawtons water a district. Petition was given to Richard Schaus.

Moved Supervisor Tobia

RESOLVED, the Town Board acknowledges receipt of the Petition filed by the residents of Lawtons.

BE IT FURTHER RESOLVED, the entire matter is hereby referred to the town attorney and the town clerk to commence the necessary legal process of forming the Lawtons Water District.

Second: Ellen Mathis

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

Richard Schaus discussed the next steps to proceed that we would need to start the process which includes retaining municipal solutions and water lawyer Gregory Yaw.

Councilman J Mrozek moved:

BE IT RESOLVED that the North Collins Town Board hereby authorizes the Town Supervisor to retain Gregory R. Yaw, Attorney of Jamestown, NY, as special counsel in the Lawtons Water District matter at his hourly rate; and be it further

RESOLVED, that the North Collins Town Board hereby authorizes the Town Supervisor to retain Municipal Solutions of Canandagua, NY, as financial advisor in the Lawtons Water District matter at their hourly rate;

Seconded by Councilman M. Perry.

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

Visitor: Bob Robbins- stated that he had a problem with his assessment and would like the town board to audit the assessments in the town.

After further discussion Mr. Robbins stated that he was okay with his assessment but he would like the Town Board to take a look at the assessor's books and have some one come in and audit the assessor.

Mr. Robbins would like an easement to make a driveway to the Marshfield Cemetery- Richard Schaus told him that he would need to hire a lawyer because there are cemetery laws that must be followed.

Item 5. DEPARTMENTAL REPORTS

Code Enforcement: State house on 62 almost done waiting for the sprinkler system.

2 windmills on School Street –waiting for survey to come- in.

Home occupation Law 2 ways to address zoning, or apply for variance.

Report given to Town Clerk

Planning Board met to discuss Turtle's asked the board to make a resolution to accept the changes to permit.

Moved J. Morezk

RESOLVED, the Town Board acknowledges receipt letter from the planning board.

BE IT FURTHER RESOLVED, The North Collins Planning Board held a special meeting to discuss the changes that need to be made by Gary Toner to the property at 11555 RT 62 North Collins, NY (Turtle's Auto), to amend the existing permit, and avoid future citations.

Mr. Toner has been cited repeatedly for this property, because he is not in compliance with his original permit. The Planning Board took a drive to the property to assess the situation. It was found the "Green Wall" which Mr. Toner described at the 8/13/15 meeting is not as described, and that the recommendations of the Planning Board made at

the August 13, 2005 meeting, and later adopted by the Town Board, have not been complied with.

The Board would like to clarify the changes which need to be made, based upon their review of the property.

On the South Side of the property: From the woods on the east side, to 10 feet past the front of the existing building (on the west), Mr. Toner shall erect an 8 foot high stockade fence, in compliance with all existing codes.

The back of the Lot (East Side): The current "Green Wall" is sufficient.

On the North Side of the property: From the woods on the east side, to 10 feet past the front of the existing building (on the west), Mr. Toner shall erect an 8 foot stockade fence, in compliance with all existing codes.

The deadline for completion shall be left to the discretion of the Town Board.

Pursuant to the Board's prior recommendation, the Board also recommends that the total number of cars situated on the property not exceed fifty (50) at any given time; and that there be no more than five (5) unregistered "parts" cars on the property at any given time.

Michael Drumm called for a Vote. The measure was approved, by all planning board members.

Second: Ellen Mathis

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

HISTORIAN : Left report with the Town Clerk and asked for the board to make a resolution to accept her yearly report so she could send it into the State.

Moved J. Mrozek

RESOLVED, the Town Board accepts the historians' yearly report

BE IT FURTHER RESOLVED, the report is approved and accepted and can be filed with the State.

Second: Mike Perry

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

Dog Control: Report given to Clerk

Recreation:

Aerobics: Mondays (7:00 pm) and Saturdays (9:00 am)
\$5 for individual class / \$20 for 6 week session

There are a few scheduling conflicts. Contact Kathy Greene @ 913-7815.

Basketball for Elem Students

Wednesdays 2/24, 3/2, and 3/9 6:30 - 7:30 p.m.

Parents must enter gym to sign in students

Adult Pickleball / Basketball / and Walking on the Track

Fridays 3/4, 3/11, and 3/18 6:30 - 8:00 p.m

Adult Indoor Soccer at the High School - Wednesdays at 6:00 pm

Boys 11/12 years - NC Team(s) entering Eden's League.

Tony Puntillo will be the liaison. Coach(es) still needed!!!!

Home and away games.

6/7/8 and 9/10 years will be in house - all NC kids, played in NC. Coaches, umpires and

adults to run age groups needed!!!!

4/5 years - all NC kids, played in NC - instructional league. Coaches needed!!!!

Once we have the dates for the 11/12 year olds playing in Eden we'll set a schedule for the rest of the kids. We hope to start registration in a few weeks.

The kids obviously need volunteers for this to work. Just making plans and putting it on paper isn't enough.

NC Boys Scout Troup 429 is looking for donations for their annual basket raffle during their Blue and Gold Banquet, Saturday March 5th. They are looking for gift certificates, theme baskets, merchandise etc.

Contact:

Tina Sweet - Committee Chairperson

10500 Park St

North Collins, NY 14111

716-725-2746

tmsweet2011@aol.com

Item 7. SUPERVISOR:

Supervisor's report given to everyone

GOALS:

Supervisor discussed the goals parks, town hall, wifi in the town; Town Board members discussed their goals.

Correspondence

Advisory –Community Block Grant Feb 24th 10am

Fall Fest Committee meeting Feb 27th 10am

Boy Scouts Spaghetti Dinner March 12th

High School Play March 10th- 12th

Rural Transit- meeting Feb 24th

Southtowns Coalition meeting on Feb 12th- Town Clerk Will attend for him

Lawtons Fire installation Dinner Feb 13th

Langford installation Dinner Feb 27th

RESOLUTION:

Moved Ellen Mathis

RESOLVED, the town clerk and Councilperson Mathis are hereby authorized to advertise for bids by placing appropriate legal notice in the Hamburg Sun soliciting bids for town parks maintenance & landscaping pursuant to the RFP reviewed by the board. Bids will be opened by the town board on March 9, 2016 at 7:30 p.m.

Seconded John Mrozek

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

Moved Mike Perry

RESOLVED, the town clerk is directed to advertise in the Hamburg Sun for bids for refuse & garbage collection for the 2017-2021 term with bids to be opened by the town board at monthly meeting on April 13, 2017 at 7:30 p.m.

Seconded Ellen Mathis

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

Moved Ellen Mathis

WHEREAS the Town Board of the Town of North Collins has entered into a project for the codification of Local Laws, Ordinances and certain resolutions of the Town of North 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 (which is on file in the Town Clerk's Office) 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 respects to enactment of the following local law, such public hearing to be held on the 11th day of May, 2016 at 7:30pm in the Town Hall, Town of North Collins, New York. The proposed local law to be considered is as follows:

LOCAL LAW NO. 1-2016

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF NORTH COLLINS INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE NORTH 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 of the Town Law of the State of New York.

SECONDED John Mrozek

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

Item 8. Town Clerk

Moved M. Perry:

BE IT RESOLVED to accept Paris Bottoni resignation from Board Assessment Review as of January 26, 2016. Second: J. Mrozek.

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

Moved Supervisor John Tobia

BE IT RESOLVED to replace a 5 ton R-22 condensing unit on the roof of the North Collins Town Hall. Total cost of replacement 2,875.00. Second: J. Mrozek.

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

Supervisor John Tobia will give the account that it will come out of at next meeting.

Letter from Erie County & Water Conservation district sent information about the shrub seedling program.

Supervisor received monthly Check on 2/8/2016 from Town Clerk.

Item 9. Councilmen Reports:

Mathis-Nothing to report

Perry- Better lighting in the parking light, it was suggested to be put out to bid, supervisor asked to hold off see if there is a grant out there to get.

Robbins- Nothing to report

Mrozek- Asked why the Village Police are in Langford? It was explained that they do church details and check on local business. Also it is upon the request of the Supervisor and the Mayor.

Item 10. Attorney Report.

Luther Gulf has been delayed because culvert was washed out.

Moved J Mrozek:

BE IT RESOLVED to have Highway Superintendent put the culvert in as soon as possible .

Second: P. Robbins

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

NYMIR continue to negotiate- when resolved will bring to board when resolved.

Item 11. **ADJOURNMENT.** Motion to adjourn at 9:02pm by Mrozek. Second: Perry. Carried.