

**THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON MONDAY, DECEMBER 19, 2016, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

<b>PRESENT:</b>	Councilmen:	Ellen M. Mathis John G. Mrozek Michael W. Perry Peter D. Robbins
	Town Attorney	Richard M. Schaus
	Deputy Town Clerk	Heidi L. Kibler
<b>ABSENT:</b>	Supervisor	John M. Tobia
	Town Clerk	Lynn M. DiVincenzo
	Highway Superintendent	David J. Winter

Item 1. Deputy Supervisor Mathis called the meeting to order and led the Pledge to the Flag.

**Item 2. INFORMATIONAL PUBLIC HEARING**

1) BE IT RESOLVED, the Town Board meeting is hereby closed in order to hold an Informational Public Hearing on the topic of the proposed Lawtons Water District. Moved: Mathis. Second: Mrozek.

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

2) BE IT RESOLVED, the Town Board hereby opens a previously scheduled Informational Public Hearing on the topic of the proposed Lawtons Water District. Moved: Perry. Second: Mrozek.

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

Mrs. Mathis called on Tom Wilder to begin the informational part of the meeting. Mr. Wilder stated fresh, clean water is necessary for the residents of Lawtons and a choice has to be made that will benefit them for generations to come. He fully supports the project as it has been presented by the engineer, Mark Allienello. A petition in favor of the project is available for the residents of Lawtons if they feel comfortable in signing it.

Engineer, Mark Allienello spoke to the group stating the problems of the current water system and the three possible project types available to them with projected costs;

Cartridge Filter System on existing water source, Slow Sand Filter System on existing water source or connecting to the Seneca Nation of Indians current system.

Mr. Allienello feels the best and most cost effective method is to connect to the Seneca Nation of Indians current system, which comes from the county and is monitored by the EPA.

In response to residents questioning the possible breakdown of relations between the Seneca Nation and the State, Wilder would like to keep the Lawtons current source of water available as a back-up for non-drinking water use.

A discussion was had regarding grant money available, by Allienello and Mr. Rotella from Rotella Grant Management; State Water Fund, Community Block Grant and if grant applications are turned in by January 31, 2017, there is a possibility of more funding through the Clean Water Revolving Fund.

Town Attorney, Richard Schaus, informed the Lawtons residents that the Town Board is willing to back whatever decision they choose, but it is inevitable that this change will occur and by signing the available petition now, the process can be sped up.

Councilman Mrozek also spoke urging the residents to sign the petition so they may move forward. It is short term pain for a long term gain.

3) BE IT RESOLVED, the Informational Public Hearing on the topic of the proposed Lawtons Water District is hereby closed. Moved: Mathis. Second: Mrozek.

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

**Item 3. RETURN TO REGULAR BOARD MEETING**

1) BE IT RESOLVED, the Town Board hereby opens and resumes the regularly scheduled meeting of the Town Board. Moved: Perry. Second: Mrozek.

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

2) BE IT RESOLVED, the Town Board hereby tables any further business and hereby adjourns this meeting at 8:00PM till Wednesday, December 21, 2016 at 4:30 pm in the Town Hall meeting room. Moved: Mrozek. Second: Robbins.

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

**THE CONTINUATION OF THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, DECEMBER 21, 2016, AT 4:30PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

<b>PRESENT:</b>	Supervisor:	John M. Tobia
	Councilmen:	Ellen M. Mathis John G. Mrozek Michael W. Perry Peter D. Robbins
<b>ABSENT:</b>	Town Attorney	Richard M. Schaus
	Highway Superintendent	David J. Winter
	Deputy Town Clerk	Heidi L. Kibler
	Town Clerk	Lynn M. DiVincenzo

Item 1. Supervisor Tobia called the meeting to order and led the Pledge to the Flag. Tobia offered his deepest sympathy to our Town Clerk, Lynn Divincenzo and the Village Clerk, Jan Hutchinson on the loss of their mothers.

Item 2. **MINUTES** Mr. Perry moved to approve the November Minutes as previously presented. Second: Mrozek.

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

**Item 3. AUDIT OF BILLS**

BE IT RESOLVED that the following claims, as set forth in Abstract #12 are approved for payment by the Town Board: TOTAL: \$133,559.32

Moved: Perry. Second: Mrozek.

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

**Item 4. HEARING OF VISITORS**

1) Tyler Palmer representing the Mecca and Jones windmill projects on School Street came before the Board with his SEQR and requested the Board take the next step. Attorney Schaus stated the Planning Board met. All requirements of the projects have been completed with approval from the Planning Board.

BE IT RESOLVED that the Town Board hold a Public Hearing on the WECS applications of Mecca and Jones on School Street at 7:30PM on January 4, 2017. Moved: Mrozek

Second: Perry

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

2) Agnes Parks asked the Board questions in regards to recycle bins with the change of our garbage company the first of the year, when bills were paid this month and why there were changes with the meeting dates.

**DEPARTMENTAL REPORTS**

Item 5. **HIGHWAY SUPERINTENDENT.** Mr. Winter submitted

1) 3 checks from Ben Weitsman of Brant, LLC for scrap recycling in the total amount of \$243.05. Winter requested that the total be allocated for the Highway Departments DB5110.4 line.

2) 2017 **Agreement to Spend Town Highway Funds** form and requested the Town Board members sign it for approval. The form will be filed with the Town Clerk's Office.

3) He had previously signed the **Mutual Aid Agreement with NYS**, which is also on file in the Town Clerk's Office.

4) For anyone who may have questions regarding what entity is responsible for the maintenance of the roads within the Town of North Collins, Mr. Winter stated there is an updated map at the Town Clerk's Office that may be picked up.

5) The Highway Department is saving money this year with salt prices being reduced and the ability to haul their own salt.

6) The Luther Gulf Project is on hold due to the weather.

7) Winter requested a \$5,000.00 stipend or a rate of \$25 per hour plus equipment and materials to continue plowing the Senior Center, Town Hall and Library parking lots throughout the winter. The Board will take this under advisement and review previous procedures.

**Item 6. CODE ENFORCEMENT OFFICER.**

- 1) Mr. Tremblay submitted his 2016 yearly report.
- 2) Has been aiding in the finalization of the SEQR for the Mecca and Jones windmill projects.

**Item 7. SUPERVISOR'S REPORT.** Mr. Tobia presented the Supervisor's financial report from November 2016 and filed same with the Town Clerk.

**Item 8. SUPERVISOR'S CORRESPONDENCE.** Mr. Tobia received the following:

- 1) From the Recreation Department: Remote Control Play Day at the Elementary School gym December 27<sup>th</sup> from 10-11:30am, also updates on aerobics, Sunday night basketball, Wednesday night indoor soccer and upcoming: open gym for basketball, sledding at the park and walking track.
- 2) From the Historian: 4 Historian Reports were sent via email. They will be printed and available for review.
- 3) Lawtons Water Project Update: Attorney Schaus gave an update to the Board informing them that the residents and the engineer are leaning towards tying in with the Seneca Nation of Indians water supply while retaining their current system as a back-up.
- 4) Legislator Mills, along with Dave Willett's hard work, secured a \$10,000 grant for Schoolhouse #8
- 5) Legislator Mills also secured a \$2,000 grant for the Veteran's Tribute.
- 6) Tobia has been in contact with Dan Rizzo, the Commissioner of Parks and is hopeful that we may see some funding for Franklin Gulf Park in the future.
- 7) Supervisor Tobia presented Councilman John Mrozek with a Certificate of Appreciation for his year of service to the Town of North Collins.

**Item 9. RESOLUTIONS.**

Mr. Tobia Moved:

- 1) BE IT RESOLVED, the Town Board acknowledges receipt of the Ketchum Road Landfill quarterly report and further directs the attorney to file a copy of the report with the New York State Department of Environmental Conservation. Second: Mrozek.  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.
- 2) BE IT RESOLVED, the Town Board approves the hiring of Teresa Baskerville as Court Clerk starting 1/1/2017. Her Salary will have no additional impact on the Court Budget as it will be appropriated from Clerk Tracy Mallaber's salary. Tracy Mallaber \$6,200, Teresa Baskerville \$1,800. Second: Mathis  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.
- 3) BE IT RESOLVED, the Town Board approves to pay the balance of the Town Bookkeeper Budget to Crystal Cocca in the sum of \$3,288.58, for the position of Bookkeeper for the year of 2016. Second: Mathis  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.
- 4) BE IT RESOLVED, the Town Board approves the Board of Assessment Review to decrease their board from 5 members to 3 members. Second: 0  
ROLL CALL: Ayes: 0 Noes: Perry, Tobia, Mathis, Mrozek, Robbins Motion **Denied**.
- 5) BE IT RESOLVED, the Town Board approves the Organizational meeting to be set on January 4<sup>th</sup> at 6:00pm and following, at 7pm, the Regular Business meeting at the North Collins Town Hall and to have the Town Clerk publish in the official newspaper of the town and the PennySaver. Second: Perry  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.
- 6) BE IT RESOLVED, the Town Board rescinds the previous resolution made by Supervisor John Tobia on January 20<sup>th</sup> 2016 that reads: Robert Ebersole is hereby APPOINTED as ASSISTANT DOG WARDEN to be paid \$1,000.00 at the end of the fiscal year and will be paid from Jeannie Ebersole's salary of \$4,000. Second: Mathis.  
ROLL CALL: Ayes: Mathis, Perry, Robbins, Mrozek Tobia. Noes 0. Motion carried.  
To say Robert Ebersole is hereby APPOINTED as ASSISTANT DOG WARDEN with no compensation for the fiscal year 2016. Second: Robbins  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.
- 7) BE IT RESOLVED, the Town Board approves the Town Clerk to charge a \$5.00 late fee after a 30 day delinquency on dog licenses. Second: Mathis  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.
- 8) 3) BE IT RESOLVED, the Town Clerk is approved to attend the 2017 Training School and Meeting in New York City, February 19<sup>th</sup>-22<sup>nd</sup>, 2017. Second: Mrozek  
ROLL CALL: Ayes: Perry, Tobia, Mathis, Mrozek, Robbins Motion carried.

9) Mathis Moved:

BE IT RESOLVED, Lynn DiVincenzo is appointed as secretary for the North Collins Planning Board and the Zoning Board of Appeals, beginning January 1, 2017, to be paid \$25.00 per hour, not to exceed \$1,500.00 annually. Second: Robbins

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

Item 10. **OLD BUSINESS.** The Town Board is postponing taking action in regards to American Towers.

Item 11. **TOWN CLERK** Mrs. Kibler presented:

1) The Town Clerk's Monthly Report submitted to the Supervisor for the month of November 2016.

2) The Boiler Inspector from Munich RE has inspected the boiler at the Town Hall. No issues were found.

Item 12. **COUNCILMEN REPORTS.** The Councilmen each took turns thanking Councilman Mrozek for his service and dedication this year, his input and knowledge helped them in their decision making.

Item 13. **EXECUTIVE SESSION.** Mr. Tobia moved to enter into an Executive Session at 5:13PM to discuss the employment of a particular person. Second: Mathis.

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

Item 14. **ADJOURNMENT.** Motion to return from Executive Session and adjourn at 5:30PM by Mrozek. Second: Mathis.

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

Respectfully submitted,

Heidi L. Kibler  
North Collins Deputy Town Clerk