

**THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, JUNE 14<sup>TH</sup> 2017, AT 7:00PM AT NORTH COLLINS TOWN HALL AT 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

<b>PRESENT:</b>	Supervisor	John M. Tobia
	Councilmen:	Ellen M. Mathis
		William Moritz
		Peter Robbins
	<b>Excused</b>	<b>Michael Perry</b>
	Town Clerk	Lynn M. DiVincenzo
	Highway Superintendent	David Winter
	Town Attorney	Richard M. Schaus

Item 1. Supervisor John Tobia called the meeting to order, led the Pledge to the Flag, short prayer after pledge at 7:00pm

Congratulations to the Boys Varsity Baseball and Girls Varsity Softball winning the blue patch and going to the states.

Item 2. **MINUTES:** Ellen Mathis moved to approve the May regular minutes as previously presented: Second: Peter Robbins.

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

Item 3. **AUDIT OF BILLS:** Ellen Mathis moved:

BE IT RESOLVED as set forth in Abstract #06 in the amount \$201,083.74 were approved for payment by the Town Board:

Second: Peter Robbins

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

Item 4. **VISITORS:**

**Legislator John Mills:** Hot dog roast is on June 21<sup>st</sup> at the Library. They will start paving roads in our district, budget hearing in July- Also if you have any questions please call Nancy, his secretary.

**Lisa Sager:** 4-H came in to thank the Town Board for letting them use the senior building and gave an over view of what they learned.

**Energy:** Ed Carey from Good Energy explained how the gas and electricity works with his company. He gave out pamphlets to discuss the different programs that are out there. He was questioned about Ambit Energy. He stated that his company will not work with Ambit and its an unreliable energy company.

**Jim Lint** – Saturday June 10<sup>th</sup> was a good day – Flag Day. They have raised \$31,500.00 and are a 1/3 of the way, new sign was donated by Renaldo's.

**Ann Converso** – School house will have old school fun and games on June 25<sup>th</sup> from 1-4pm.

**Betty Gabel:** Noise complaint about her neighbors that have dirt bikes with no mufflers. This problem has been going on for years. She spoke with Phil Tremblay and he gave her a deci meter and it read .84. Discussion took about the noise ordinance law. Some ideas were thrown around and Richard Schaus will continue to work on it.

Item 5. **HIGHWAY:** Surface treating and paving done. DOT is offering 5 million for 5 years for salt shed. Mr. Winter will get cost estimates. Also, he would like to revisit hiring the 4<sup>th</sup> man in the highway. Mr. Winter also discussed a collective bargaining agreement. John and Richard will meet with Mr. Winter next week. Work on Luther Gulf will begin soon.

Item 6. **DEPARTMENTAL REPORTS:**

**Code Enforcement:** 11 new permits and everything is going smoothly.

**Library:** Summer events: Legislator Mills Hot Dog Roast 4-7pm, Buffalo Animal Adventures 6:30pm 28<sup>th</sup>, Book A Technology Trainer 4-7 pm, July Technology Trainer 4-7pm, Battle of the Books practice every Monday and Wednesday in June and July, August 5<sup>th</sup> Battle of Books 9-12, 15<sup>th</sup> Greeting Card Making 6:30-7:30pm, 23<sup>rd</sup> Technology Trainer 4-7pm, Summer Story hour Tuesdays 6:30pm ages 5-10, Fridays @11am ages 2-5. Also, looking into sealing the parking lot and redoing the lines.

**Historian:** Submitted report for April and May 2017.

**Recreation:** Mothers Day breakfast was a hit and thanks Joe Three Star for all his help. May 20<sup>th</sup> there was a Turf Day. Fish w/o License Day- would like to thank Mr. Winter and his family for allowing it and you need to bring your own bait, Music starts July 5<sup>th</sup>, summer recreation begins July 6<sup>th</sup>, soccer in August. Frisbee golf –would like to replace the baskets because they are getting old and worn out from the weather, 9 baskets in total.

**Assessor:** Tentative Roll submitted, BAR has two new members of a 5 member board, one member was a no show and 1 member was excused. Final Roll is July 1<sup>st</sup>. Also, Assessor asked about low income disable exemption. Richard also asked if she could help with the water assessment cost to residents for the Lawton's Water.

**Dog Control:** Monthly reports submitted.

Item 7. **SUPERVISOR:**

Supervisors report submitted.

**Notice of Liquor license application was submitted to the Town Clerk on June 12<sup>th</sup> for Langford Saloon and Grill, LLC**

**Notice of Liquor license application was submitted to the Town Clerk on June 12<sup>th</sup> for Uncle Franks**

**Resolutions:**

Moved: John Tobia

BE IT RESOLVED the Town Supervisor is here by authorized to sign the Seneca Nation- Lawton's Water District water contract. Seconded by Ellen Mathis.

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

**Municipal Resolution for NYS Water Infrastructure Improvement Act – 2017 Water Grant**

Moved John Tobia

WHEREAS, the Town of North Collins, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Town of North Collins "Lawton's" Drinking Water Distribution System through the Town of North Collins Lawton's Water District, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of North Collins deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the North Collins Board, that:

1. Supervisor John Tobia, or his representative or successor in office, is the representative authorized to act on behalf of the North Collins Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.
2. The Supervisor, or his representative, is also authorized to make an application in the amount of \$695,000 which the Town is requesting 60% of the total project cost in grant funding, list the Project in the DWSRF Intended Use Plan (IUP), submit Project documentation, and otherwise act on behalf of the North Collins Town Board in all matters related to the Project and to State assistance;
3. The Town of North Collins Town Board agrees to fund its portion of the cost of the Project, not to exceed 40% of the total project cost by way of a General Obligation Bond or a series of Bond Anticipation Notes financed over a period of five or more years as well as a contribution from the Town's capital reserves account, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority;
4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation; and
5. This Resolution takes effect immediately.

Seconded by Peter Robbins

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

Moved John Tobia

**Re: Supporting a Home Rule Request: Seeking Permission from New York State to Amend the Erie County Tax Act**

**WHEREAS**, since 2015 more than 800 homes in Western New York have been deemed "zombie houses" defined as properties undergoing the foreclosure process that can remain vacant for years; and

**WHEREAS**, the economic result of such vacant properties is nearly \$58 million worth of real estate in Erie County since it was last calculated; and

**WHEREAS**, if the home remains vacant for a long enough period of time the property value could decrease to such a level that it is no longer in a bank's financial interest to foreclose on the property, implying that time is a crucial factor in the cases; and

**WHEREAS**, these houses remain empty typically due to homeowners' misunderstanding of proper foreclosure procedure, leaving these houses in limbo, i.e. the homeowners no longer maintain the property and banks are not legally obligated to. This means these properties are maintained oftentimes at the expense of taxpayers; and

**WHEREAS**, in the United States the average time it takes to foreclose on a property is two years. If a house has been deemed abandoned by the municipality the foreclosure process should only take one year; and

**WHEREAS**, as such the Town of North Collins Legislature requests permission from New York State to make the following amendments to the legislation known as the Erie County Tax Act; and

**WHEREAS**, the purpose of the resolution is to recommend the New York State Senate and Assembly amend

§ 9-1.0 of the Erie County Tax Act to shorten the period in which the holder of a tax sale certificate may foreclose on a property that is certified by a municipality to be vacant and abandoned from two years to one year; and

**WHEREAS**, additionally to recommend § 11-2.0 of the Erie County Tax Act be amended to shorten the period in which the county may foreclose on a tax certificate on a property that is certified by a municipality to be vacant and abandoned from two years to one year;

**NOW, THEREFORE, BE IT**

**RESOLVED**, the following resolution is hereby adopted by the Town of North Collins Municipality; and be it further,

**RESOLVED**, that the Clerk of the Town of North Collins forward certified copies of this resolution to the New York State Assembly, attention Speaker Carl E. Heastie and New York State Senate, attention Majority Leader Flanagan as well as to the Erie County Executive, the Honorable Mark Poloncarz and to all other parties deemed necessary and proper.

**FISCAL IMPACT:** None for resolution

Seconded by Ellen Mathis

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

Moved: John Tobia

BE IT RESOLVED the Town Board will adopt the Standard Work Day Resolution for Employees, Elected and Appointed officials for the Town of north Collins. This resolution is for Calendar year 2017 and is set at 8 hours per day for all. Seconded by Ellen Mathis.

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

Moved: John Tobia

BE IT RESOLVED the Town Board will approve the bookkeeper to make the following budget transfers. A1220.4 debt \$1,500.00 and credit A 1220.41 \$1,500.00, A1220.4 debit 500.00 and credit \$500.00, A1610.4 debit \$4,000.00 and credit A1610.44 \$4,000.00, A1610.4 debit 2,000.00 and credit A1440.4, and A4540.4 debit \$500.00 and credit A4540.44 \$500.00

Seconded by Ellen Mathis

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

Item 8. **OLD BUSINESS:**

Nothing

Item 9: **TOWN CLERK:**

Waste Management is doing an audit every Friday of whose garbage is out. All garbage needs to be out at 6am on Fridays.

Town Clerks monthly report- Total for the month of May \$4726.00, Supervisor \$4505.98, NYS AG \$90.00, NYS Environment \$85.02 and NYS health \$45.00.

Want to look into the security camera monitors for the Clerk's and Supervisors office. Town Clerk has permission to look into it and get information.

Item 10. **COUNCILMAN REPORTS:**

**Mathis-** Asked about Larkin Road speed limit.

Moved Ellen Mathis

BE IT RESOLVED the Town Board will hire the following as Summer Recreation Counselors Kylie Mathis, Caleigh Abad, Leah Abad, Rane Brinkman, Jay Gleason, Allen Hornberger, Jenna Keppel, Logan Kibler, Breanna Krawczyk, Alec Pagel, Jessica Shiffman, Tyler Shiffman, Chirs Weber and Amelia Wroblewski. Substitute Counselor Names are Emma Gaglione, Nicholas Woronowski and Isabelle Wroblewski. Seconded by John Tobia

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

**Perry-** Excused

**Robbins-** Thanked John and Richard for the Lawton's Water work. Auctions International should be sending a check. The only thing that we didn't sell was the chain link fence and wanted to know if the highway wanted them. Fence was given to the Highway Department.

**Moritz**

Moved Moritz

BE IT RESOLVED the Town Board approve an increase to Teresa Baskerville from \$150.00 to \$200.00 per month to reduce Tracy Mallaber salary by \$50.00

Seconded by John Tobia

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

Also Met with Janice with the Ambulance and discussed concerns and what the squad is trying to do to increase membership.

Audit Judge Stevens

Item 11. **TOWN ATTORNEY: The Town has to hire engineer Mark Alianello, his bid came in at 130,000.00.**

**Moved by Ellen Mathis**

BE IT RESOLVED the Town Board WILL ALLOW THE Town Supervisor to sign a contract for an engineer; the Town Board has to put it out to bid.

Seconded by William Mortiz

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

Item 12. **ADJOURNMENT:**

**Motion by Peter Robbins, seconded by Ellen Mathis to adjourn at 8:55pm.**

Respectfully submitted,

Lynn DiVincenzo  
North Collins Town Clerk