

THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, NOVEMBER 11TH, 2020, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.

PRESENT:	Supervisor	John Tobia
	Councilmen:	Ellen M. Mathis
		Michael W. Perry
		Peter Robbins
		William Moritz - EXCUSED
	Town Clerk	Lynn M. DiVincenzo
	Town Attorney	Richard Schaus
	Highway Supt.	David J. Winter - NOT IN ATTENDANCE

Item 1. Supervisor John Tobia called the meeting to order and led the Pledge to the Flag and prayer at 7pm. Thanked Veterans.

Item 2. Approval of Minutes: Approved September work session minutes, October regular meeting minutes and October Public Hearing minutes.

MOVED: Mike Perry

SECONDED: John Tobia

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

AUDIT OF BILLS

Item 3.

MOVED: Mike Perry

BE IT RESOLVED that the following claims, as set forth in Abstract #11 and in the amount of \$248,280.35 are approved for payment by the Town Board:

A#572,573,574,575,579,581,582,583,584,585,586,589,591,593,594,596,597,598,599,60,601,602, 618,619,620,622,623,624,626

B# 572,578,589,590,600,603,604,618,

DA# 605,606

DB# 571,575,580,602,607,608,609,610,611,612,613,614,615,616,617,618,621,627,

SF#

SR# 576,588

SW# 577,587,592,595,600,625,628,

SECONDED: Peter Robbins

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

Item 4. **VISITORS:**

Dennis Aeschbacher: Wrote a letter stating that he wants to open an automotive repair shop that will focus on automotive vehicles and light duty trucks. He would like to be approved under the Home Occupation Law. Richard Schaus stated that he will work on this and that the town might want to send this to the Planning Board.

Item 5. **LAWTONS WATER DISTRICT UPDATE:**

MOVED: Ellen Mathis

BE IT RESOLVED, the North Collins Town Board approves MDA to complete an Asset Management plan, as long as it is covered under the grant.

SECONDED: Mike Perry

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

Item 6. **COUNCILMEN:**

Moritz – Excused

Perry – Thanked Dan Stroud for all the work he has done at the Marion Fricano Town Park.

Robbins – The Rec. Building at the park is coming along and Dan Stroud has put a lot of work into it. Peter Robbins brought up who do we speak to about Genesee Road and Route 75 in regards to all the accidents that have been happening there.

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board instructs the Town Clerk to contact the NYSDOT by phone and letter about the increased accidents in that area.

SECONDED: Peter Robbins

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

Mathis – The parks will be closed beginning November 15th. Have toilets removed from park.

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board approves to close the parks from November 15th, 2020 – April 1st, 2021.

SECONDED: Ellen Mathis

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

Item 7. **HIGHWAY:** Highway Mutual Aid Agreement

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board hereby agrees to enter into a mutual agreement with the Town of Eden, whereby the Town of North Collins Highway Department will plow snow from Clarksburg Road from the North Collins Town Line up to Eighteen Mile Creek Bridge, in exchange for the Eden Town Highway Department plowing Belcher Road and the end of Rocky Mountain Road.

SECONDED: Peter Robbins

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

RECREATION: Nothing

CODE ENFORCEMENT: Several Cases in Court

Item 8. **RESOLUTIONS:**

MOVED: John Tobia

BE IT RESOLVED, the Town Board acknowledges receipt of the Ketchum Landfill Quarterly report and further directs the attorney to file a copy of the report with the New York State Department of Environment & Conservation.

SECONDED: Peter Robbins

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

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board aforesaid town has duly designated John Tobia to attend the annual business session of the Association of Towns and to cast the vote for the Town of North Collins,

Pursuant to 6 of Article III of the Constitution of the Bylaws of said Association.

FURTHER BE RESOLVED, Town of North Collins has assigned Lynn DiVincenzo to be an alternate to the Town of North Collins.

SECONDED: Peter Robbins

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

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board will conduct an audit of the North Collins Recreation program annually. The Audit will be completed by February of the following year and will be completed by the Deputy Town Clerk.

SECONDED: Ellen Mathis

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

MOVED: Mike Perry

BE IT RESOLVED, the North Collins Town Board deems the HP printer in the supervisors office as non useable equipment and to properly dispose of it.

SECONDED: Peter Robbins

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

MOVED: John Tobia

Whereas, the Town of North Collins has established the Lawtons Water District; and Whereas, the Town of North Collins is now purchasing Erie County Water through the Seneca Nation of Indians (SNI) and providing said public water to the residents of the Lawtons Water District; and Whereas, the Town of North Collins desires to establish a water billing structure for said public water;

NOW THEREFORE, it is hereby resolved, the Town Clerk is hereby directed to bill all resident water customers of the Lawtons Water District as follows: 1) a flat charge of \$291 per EDU per year in order to pass along the operating & maintenance portion of the system (excluding the cost

of purchasing water from the SNI) which amount shall be billed quarterly at the rate of \$72.75 per quarter and 2) for water usage at the rate of \$3.20 per thousand gallons of usage which shall also be billed quarterly; residents will be billed 10% of usage charge for late fee after due date; and it is further

RESOLVED, the Town Board shall revisit and adjust these billing rates as needed in the future as the town board shall deem just and appropriate.

SECONDED: Mike Perry

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

Item 09. TOWN CLERK:

Monthly Town Clerks Report: Total Revenues: \$3427.00, Dog \$80.00, DEC \$377.93, Supervisors \$2811.57, Marriage \$157.50. There was an error in last month's Supervisor check had to deduct \$388.26 from DEC. I read the new reports wrong. October check for the Supervisor is \$2423.31.

Dog Control Reports submitted

MOVED: Mike Perry

BE IT RESOLVED, The North Collins Town Board approves 3 bills to be added onto the pre pays for abstract 12. The following bills are for Bryan Bartosik, McEwan Trucking & Gravel Prod and MDA consulting Engineers.

SECONDED: Peter Robbins

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

Discussion took place about the local law for garage sales in the Town of North Collins. Peter Robbins stated he is not in favor of having a local law for garage sales. Discussion took place about people having business by having a garage sale everyday or every weekend. Ellen is all for having a law. John suggested that we table the law and review it next month.

Item 10. SUPERVISOR:

Motion by Mike Perry, seconded by Peter Robbins, to accept the Supervisors report for October 2020. Carried

Food Pantry is open on Wednesdays.

City Mission is giving out meals on Thanksgiving if anyone needs a meal.

COVID 2019 Cares ACT- check is in the mail and has to be completed by the end of the year.

Community Block Grant is doing a walk through next Thursday at Community Center.

Item 11. ATTORNEY: Working on Home Occupation Law. At the December meeting, he will bring the easement for the Langford Town Park and all yearly contracts with the Town of North Collins for the Supervisor to sign.

Motion by John Tobia, seconded by Mike Perry, to close Regular business meeting and go into executive session to discuss personnel issue and invite Richard Schaus in at 7:40pm. Carried

Motion by Peter Robbins, seconded by Mike Perry to close executive session and open the regular board meeting at 7:45pm. Carried

Item 12. ADJOURNMENT. Motion to adjourn at 7:45pm by Mike Perry

SECONDED by Peter Robbins . Carried.

Respectfully Submitted By,

Lynn DiVincenzo
Town Clerk