

**THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, JANUARY 13th 2020, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

<b>PRESENT:</b>	Supervisor	John Tobia
	Councilmen:	Ellen M. Mathis
		Michael W. Perry
		Peter Robbins
		William Moritz
	Town Clerk	Lynn M. DiVincenzo
	Town Attorney	Richard Schaus
	Highway Supt.	David J. Winter (excused)

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

Item 2. Approved the December 2020 Meeting, as previously presented.

Moved: Mike Perry

Second: Peter Robbins

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

**AUDIT OF BILLS**

Item 3. Mike Perry Moved:

BE IT RESOLVED that the following claims, as set forth in Abstract #13 and in the amount of \$121,892.79 are approved for payment by the Town Board:

A#691,692,693,694,695,696,697,698,700,701,702,703,704,705,706,707,708,710,711,713,714,  
715,717,727,728,732,

B#691,693,696,698,699,729

DA#

DB# 718,719,720,721,722,723,724,725,730,732,

SR# 716

SW# 709,712,726,731,733,734

And

BE IT RESOLVED that the following claims, as set forth in Abstract #1 in the amount of \$49,887.22 are approved for payment by the Town Board:

A# 1,2,3,4,5,7,8,11,12,13,14,15,17,18,19

B# 9,18

DA#6,

DB# 11,12

SF# 10,16

Second: Peter Robbins

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

Item 4. **VISITOR:** None

- Item 5. **HIGHWAY:** Submitted Motor Fuels Bid Packet to Richard Schaus for review on 12/14/2020, he Okayed on 12/15/2020.

**MOVED:** John Tobia

**BE IT RESOLVED**, the North Collins Town Board approves the **Motor Fuels and Related Services for One-Year Period** Bid Packet and instructs the Town Clerk to publish in the Dunkirk Observer. All sealed bids have to be in by February 10<sup>th</sup>, 2021 at 4pm.

**SECONDED:** Mike Perry

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

**MOVED:** Mike Perry

**BE IT RESOLVED**, the North Collins Town Board approves the Agreement to Spend Town Highway funds pursuant to the repair and improvement of highways received from the state for the repair and improvement of highways.

FURTHER BE IT RESOLVED general repairs in the sum of \$195,640.00 may be expanded for general repairs upon 20.72 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewal thereof.

Seconded Peter Robbins

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

- Submitted Snow Removal and Ice Control Contract Invoices to Erie County on 12/11/2020.

Item 6. **CODE ENFORCEMENT OFFICER:** Gave his yearly report: 68 permits- Fees collected \$17,925- Assessment value \$1,112,571-

**LIBRARY:** No report given

**HISTROIAN:** Excused – no report given

#### **RECREATION:**

After School Program -Students seem genuinely happy to be back to school and at After School Program. - Since we are not able to do a typical family movie night, Counselors are planning mini-movie days for our ASP students. Students will hold a vote to choose their movie and watch during regular program hours. - Activities in the Gymnasium are still restricted, so Counselors have been creative to keep the students busy. The next craft planned is Glow in the Dark Bouncy Balls.

Adult Aerobics: The Adult Aerobics participants wrapped up their fall session in November. They are asking permission to start a winter session. Classes would be held Mondays and Saturdays for one hour at the Recreation Building and last for six weeks. Since Erie County is still in a yellow zone, we have asked them to postpone their start date until we have permission from the Town Board to start.

\*\* Town Board will check the CDC guidelines before they open aerobics up. They will wait until next month.

#### Item 8, **COUNCILMEN**

**Moritz** – Vaccine is available please sign up

**Robbins** – All set. Feels it is unacceptable, what is going on at the parks.

**Perry** – Closed the Town Park- There is dumping going on at the park. He put up a deer camera and someone took it down. The Community can park down at the senior center and walk up to the park. Historical Building- the heater was taken care by Dewey Plumbing.

**Mathis** – Good

#### **RESOLUTIONS:**

**MOVED: John Tobia**

**RESOLUTION DIRECTING THE TOWN ASSESSOR, PURSUANT TO NYS GOVERNOR'S EXECUTIVE ORDER 202.83 CONTINUING TEMPORARY SUSPENSION AND MODIFICATION OF LAWS RELATING TO THE PANDEMIC DISASTER EMERGENCY, SPECIFICALLY AS IT PERTAINS TO SENIOR AND DISABILITY EXEMPTIONS, SECTION 467 AND 459C OF THE REAL PROPERTY TAX LAW, TO GRANT EXEMPTIONS ON THE 2021 ASSESSMENT ROLL TO ALL PROPERTY OWNERS WHO RECEIVED THAT EXEMPTION ON THE 2020 ASSESSMENT ROLL, THEREBY DISPENSING WITH THE NEED FOR RENEWAL APPLICATIONS FROM SUCH PERSONS, AND FURTHER DISPENSING WITH THE REQUIREMENT FOR ASSESSORS TO MAIL RENEWAL APPLICATIONS TO SUCH PERSONS**

**WHEREAS**, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

**WHEREAS**, on December 18, 2020, the Governor issued Executive Order 202.83, a portion of which includes a local option pertaining to Senior Citizens' and Persons with Disabilities' partial property tax exemption, Subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law (Partial Tax Exemption for Persons with Disabilities), and Subdivisions

5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law (Partial Tax Exemption for Low Income Senior Citizens), to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received either of those exemption on the 2020 assessment roll, unless there has been a change in status that would no longer qualify the homeowner, dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

**WHEREAS**, the Town is desirous to adopt such resolution while also allowing the assessor to require a renewal application to be filed when the assessor has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed primary residence, added another owner to the deed, transferred the property to a new owner, or died;

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board of the Town of North Collins directs the Town Assessor, pursuant to the NYS Governor's Executive Order 202.83 Continuing Temporary Suspension and Modification of Laws relating to the pandemic disaster emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459c of the Real Property Tax Law, to grant exemptions on the 2021 Assessment Roll to all property owners who received that exemption on the 2020 Assessment Roll, except in the case that there is a change of status that would no longer qualify the homeowner, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons.

Seconded: Ellen Mathis

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

**MOVED:** John Tobia

**Whereas**, homeowners in the LWD were billed \$60 under the old Lawtons Water Company billing practice on or about July 1, 2020 for the second half of 2020; and

**Whereas**, new water meters were installed in properties located in the LWD between July 16, 2020 and August 27, 2020; and

**Whereas**, the bulk water meter with the Seneca Nation was installed and turned on September 9, 2020; and

**Whereas**, the Town desires to treat the residents of the LWD fairly and not bill homeowners twice;

**NOW THEREFORE,**

**BE IT RESOLVED**, the Town Clerk is instructed to credit back to users in the LWD the metered water usage amount from the date of installation of the meter to 12/29/20, said credit to appear on the next bill; and be it further

**RESOLVED**, billed water meter usage will commence as of 12/30/20 for all users in the LWD.

**SECONDED:** Ellen Mathis

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

**MOVED:** John Tobia

**BE IT RESOLVED**, The North Collins Town Board approves the extension of the building permit for the Wind Turbine at 3249 Langford Road applied for by Travis Winter which was approved in January 2020. The extension request is related to COVID delays.

**SECONDED:** Mike Perry

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

**MOVED:** John Tobia

**BE IT RESOLVED**, the North Collins Town Board approves No Parking signs on School Street from the North Collins Village Line to Ketchum Road on both sides of the road.

**SECONDED:** Mike Perry

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

**MOVED:** John Tobia

**BE IT RESOLVED**, the Town Supervisor is authorized to sign an Easement Agreement with Richmond Farms allowing an easement over the westerly 70 feet of Langford Park for ingress and egress to farmlands behind the park.

**SECONDED:** Peter Robbins

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

Item 9. **SUPERVISOR:**

No supervisor reports until next month

Food Pantry 1-5pm

Assessor- Will be audited by the State on agricultural exemptions. If you receive one please fill out the long form and turn in.

Home Occupancy Law has been reviewed by the Town Board and they would like to send it to the Planning Board for review and recommendations.

Motion by John Tobia, seconded by William Moritz, to send the Home Occupancy Law to the Planning Board for any recommendations. Carried.

Supervisor John Tobia received a letter from Judge Ricotta and Judge Stevens that their records and dockets are ready for review.

Motion by John Tobia, seconded by William Moritz, approves the records and docket is ready for review. Carried

Ellen Mathis stated that she reviewed Judge Ricotta’s docket and records.

Received a letter that the intersection of Route 75 and Genesee Road is under investigation and will share findings when we receive them.

Community Block Grant was denied this year because we received it last year.

**MOVED:** John Tobia

**BE IT RESOLVED** the North Collins Town Board approves budget transfers for the Following:

A Fund

		DR FROM	CR TO
Administrative Reserve	8686.4	23.00	
Supervisor Personnel	1220.11		23.00
Administrative Reserve	8686.4	1.00	
Supervisor Bookkeeper	1220.15		1.00
Audit and Accounting	1320.4	2,405.00	
Supervisor Contractual	1220.4		2,405.00
Audit and Accounting	1320.4	449.00	
Bookkeeper Contractual	1220.41		449.00
Audit and Accounting	1320.4	1,325.00	

Assessment Contractual	1355.4		1,325.00
Town Clerk PT Personnel	1410.15	866.00	
Town Clerk PT Personnel	1410.1		866.00
Buildings Contractual	A1610.4	20.00	
Buildings Town Hall	A1610.41		20.00
Buildings Contractual	A1610.4	2,219.00	
Buildings Senior Building	A1610.44		2,219.00
Buildings Contractual	A1610.4	11,850.00	
Senior Building	A1610.441		11,850.00
Buildings Contractual	A1610.4	4,920.00	
Farmland Protection Grant	A1610.48		4,920.00
Buildings Contractual	A1610.4	67.00	
Association Dues	A1920.4		67.00
Youth Contractual	A7310.4	510.00	
Rec Contractual	A7020.4		510.00
Senior Equip	A7210.2	206.00	
Historian Personnel	A7510.1		206.00
Celebrations	A7550.4	573.00	
Historian Contractual	A7510.4		573.00
Celebrations	A7550.4	1,599.00	
Landfill Contractual	A8189.4		1,599.00
Increase Budget	A1610.49		142,443.42
Fund Balance	A599	142,443.42	
Increase Budget	A1610.441		96,166.41
Fund Balance	A599	96,166.41	

PLANNING			
CONTRACTUAL	B8020.4	1,100.00	
GRANT WRITER			
CONTRACTUAL	B1610.4		1,100.00
Health Insurance Retirees	DB9069.9	3,419.00	
Health Insurance	DB9060.8		3,419.00
Contractual	SR8160.4		1.00
Fund Balance	SR-599	1.00	

SECONDED: Mike Perry

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

MOVED: John Tobia

BE IT RESOLVED the North Collins Town Board approves budget increase for the SW1 – Fund.

		DR	CR
		FROM	TO
INCREASE BUDGET			
CONTRACTUAL	SW1-8389.4		420,000.00
FUND BALANCE	SW1-599	420,000.00	

SECONDED: Ellen Mathis

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

Motion by Mike Perry, Seconded by Peter Robbins, to close regular business meeting and open Public Hearing for Lawtons Water Project at 7:30pm. Carried

BID # 1

Proposal from New York Leak Detection, INC  
Base Bid  
Water System Location and Marking - \$17,775.00

Alternate Bid

Survey Grade Collection of Utility Data-\$11,850.00

BID # 2

Proposal from Everett Prescott  
Base Bid  
Water System Locating and Marking- \$10,582.50

Alternate Bid

Survey Grade Collection of Utility Data-\$3,906.25

Motion by John Tobia, Seconded Peter Robbins, to give the bids to MDA for review. Carried

Motion by John Tobia, Seconded by Peter Robbins, to close Public Hearing and open the regular business meeting at 7:34pm. Carried

Item 9. **TOWN CLERK:**

Monthly Town Clerks Report: Total Revenues \$378.00 Dog \$30.00, DEC \$70.85, Marriage 0, Supervisors \$ 277.15 also \$3.85 credit from DEC

Town Clerks Yearly Report: Total Revenues \$46,690.77 Dog \$1,385.00, DEC \$13,419.11 Marriage \$450.00, Supervisors \$31,436.66..

Dog Control submitted report for village and town

We did receive a School Street Speed reduction to 50mph. Waiting on Traffic and Safety Division in Albany to send confirmed notification.

**MOVED:** John Tobia

**BE IT RESOLVED,** The North Collins Town Board approves the Town Clerk to purchase the Williamson Water program for the Lawtons Water Department in the amount of \$2,995.00 and \$795 for annual support.

**SECONDED:** Ellen Mathis

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

Item 10. **ATTORNEY:** He has contracts for the supervisor to sign that were approved in the organizational meeting.

Supervisor John Tobia asked for our community to reach out to our local representatives to reconsider the Gowanda Prison Closure.

Item 11. **ADJOURNMENT.** Motion to adjourn at 8:01pm by John Tobia. Second: Mike Perry. Carried.

Respectfully Submitted By,

Lynn DiVincenzo  
Town Clerk