

THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, MARCH 10th 2021, 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 - Excused Peter Robbins - Excused 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 February 2021 Meeting minutes, as previously presented.

MOVED: Ellen Mathis

SECOND: William Moritz

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

AUDIT OF BILLS

Item 3. MOVED: Ellen Mathis

BE IT RESOLVED that the following claims, as set forth in Abstract # 3 and in the amount of \$54,432.93 are approved for payment by the Town Board:

A#

68,69,70,72,73,74,75,78,79,80,81,83,84,86,87,88,89,90,91,94,95,96,97,111,113,114,116,118,119,

B# 68,69,78,82,92

DA# 87,98,99,104,105,109,117,

DB# 71,75,80,100,101,102,103,106,107,108,

SR# 93

SW# 69,76,77,85,110,112,115

SECOND: William Moritz

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

Item 4. **VISITOR:** Mr. Wojcik, the North Collins Jr/Sr High School Principal, gave a presentation to a student for his heroic actions back in early 2020.

Phil and Tracy Drozd were also honored for their 23 years of service to the Town of North Collins as the owners of The Langford Superette.

Marty Niefergold: Why is the park not opened? It was explained that there was some vandalism and dumping in the park and that is why they were locked. Parks will reopen April 1st. Also, Marty asked about an Electronic Recycling Event. It is very expensive to have one, stated by the supervisor. Marty asked if someone could please look into it.

Item 5. **HIGHWAY:** Written report submitted: Fixing shoulders and sweeping intersections weather permitting; repairing mailbox approaches, tree work, and one seasonal road has been opened to local traffic only. Drew up a sketch based on regulations where good placement of the No Parking signs should be on School Street. Town Board only wants 4 signs on the side of the park entrance.

Item 6. **CODE ENFORCEMENT OFFICER:** His department is slow right now. He is waiting for the courts to reopen.

LIBRARY: No report given

HISTROIAN: Excused – No report given

RECREATION: Afterschool program has been a big hit the last few weeks with gel snowmen, fruit loop marshmallow rainbows and leprechauns painted with forks, waiting on adult aerobics- to get the go ahead to restart it. Summer Recreation: they would like to get Board permission to move forward with summer recreation. They will adapt the program to make it safe.

MOTION by Ellen Mathis , seconded by William Moritz to close the regular board meeting and open up the Public Hearing for Motor Fuels and Related Services at 7:30pm Carried

We received one bid from NOCO Energy Corp.

No Lead Gas 1.6822 +.30 Diff= 1.9822

Number 2 Ultra Low Sulfur Diesel Fuel – 1.8344+.30 Diff= 2.1344

Number 2 Ultra Low Sulfur Diesel Fuel mixed 70/30 with Kerosene to be used 11/15/21-3/31/22- 1.8679+.40 Diff= 2.2679

Hourly Rate for Service Work \$150.00

Non-Collusive bidding certification included.

MOTION by John Tobia, seconded by William Moritz, to accept the bid if David Winter, Highway Superintendent, approves the bid. Carried

MOTION by William Moritz, seconded Ellen Mathis, to close the Public Hearing and open regular meeting at 7:35pm. Carried

Item 8. **COUNCILMEN**

Moritz – Good

Robbins – Excused

Perry – Excused

Mathis – Good

RESOLUTIONS:

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board agrees to reset the terms of the members of the Town of North Collins Library Board of Trustees to comply with their NYS Charter.

The following appointment to serve and new expiration date:

Charlene Trtyak - Expires December 31, 2021

SECONDED: William Mortiz

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

MOVED: John Tobia

WHEREAS, the Town of North Collins has created the Lawtons Water District; and
WHEREAS, the Town/District owns the lands upon which the old water wells are located; and

WHEREAS, the water wells are obsolete and no longer being used; and

WHEREAS, the Town is always exploring ways to keep operating costs as low as possible for the residents, including the possible sale of the land upon which the wells are located;

NOW THEREFORE, be it **RESOLVED AS FOLLOWS:**

The Town Supervisor and Attorney are authorized to obtain a fair market appraisal of the real property upon which the water wells are located in order to determine the value of said property:

SECONDED: Ellen Mathis

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

MOVED: John Tobia

BE IT RESOLVED, the North Collins Town Board awards the Waterline locating services contract to Everett J. Prescott, INC in the amount of their Base Bid, plus Alternate No.1 of \$14,488.75 and authorizing the Town Supervisor to sign the Notice of Award and authoring the Town Supervisor to sign the agreement and notice to proceed, contingent upon EJP providing the required insurances.

SECONDED: William Moritz

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

MOVED: John Tobia

WHEREAS, solar energy companies have recently been contacting large property owners in the Town about constructing solar farms on the property; and

WHEREAS, the Town of North Collins is currently working in partnership with the County of Erie under a farmland protection grant relative to farmland protection within the Town of North Collins; and

WHEREAS, the Town of North Collins is a “Right to Farm” community; and

WHEREAS, the Town Board requests that the Town Planning Board review the Town’s Solar Energy Law, Zoning and Right to Farm laws, to ensure they are current and relevant in the sitting, regulation and permitting of solar farms; and

WHEREAS, the Town of North Collins is committed to sustainable, renewable and energy efficient means of producing energy including the use of solar energy; and

WHEREAS, responsible public policy dictates that the Town review it's building, zoning, right to farm and solar energy laws to ensure that such laws are current and compatible and will continue to promote the public health, safety and welfare;

NOW THEREFORE, it is hereby

1) RESOLVED, that the Town Board hereby establishes a moratorium on the installation, construction and permitting of any ground mounted commercial and/or utility scale solar farms in the Town of North Collins; and be it further

2) RESOLVED, that this matter is hereby referred to the Town Planning Board with a request that the Planning Board review the Town's current laws and make recommendations as to any modifications or changes that should be considered as it relates to the Town's laws governing solar farms and how they relate to the Town's zoning and farmland protection laws as well as the current farmland protection grant; and be it further

3) RESOLVED, that this moratorium shall not apply to building integrated, building mounted or rooftop mounted systems for residential use; and be it further

4) RESOLVED, that this moratorium shall remain in place for twelve months from the date of adoption.

SECONDED: Ellen Mathis

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

Item 9. SUPERVISOR:

MOTION by John Tobia, seconded by William Moritz , to accept the Supervisors report for February 2021. Carried

Food Pantry 1-5pm

Farmland Protection is going to the Planning Board for review and input and working on 6 comprehensive plans.

Congress has approved the American Act. We will be getting a number soon and will share.

Working on all festivals this year.

MDA will be walking through the new recreation building to put a bid together.

The Bookkeeper, Crystal Cocca, has submitted the AUD.

Item 9. TOWN CLERK:

Monthly Town Clerks Report: Total Revenues \$1802.00 Dog \$43.00, DEC \$390.65, Marriage 22.50, Supervisors \$ 1345.85

Collecting taxes until March 15th without penalty

Drive thru Open

March 16th to May 14th is the NYS Burn Ban

Item 10. ATTORNEY: Attending the Planning Board meeting to discuss the Home Occupancy Law. The Easement has been completed for Langford Park.

Item 11. ADJOURNMENT. Motion to adjourn at 8:01pm by John Tobia.

Second: William Moritz. Carried.

Respectfully Submitted By,

Lynn DiVincenzo
Town Clerk