

THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, SEPTEMBER 12TH, 2018, 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
		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 August 2018 regular minutes as previously presented:

Moved: Ellen Mathis. Second: Peter Robbins.

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

#### AUDIT OF BILLS

Item 3. Moved: Ellen Mathis

BE IT RESOLVED that the following claims, as set forth in Abstract #9 in the amount of \$84,488.05 are approved for payment by the Town Board:

Second: Peter Robbins

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

Item 4. VISITORS:

Padma Kasthurirangan, Buffalo Renewable, INC- has an application for the Planning Board for a small wind turbine. Requesting the application to go to the Planning Board.

Moved: John Tobia

BE IT RESOLVED that the Town Board of North Collins authorizes Phil Tremblay to submit to the Planning Board once the deed has been submitted. The application was submitted by T.J. Winter and Mike Stefan for a small scale wind turbine at 3249 Langford Rd, North Collins.

Seconded Ellen Mathis

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia Noe's 0.

Jim Lint- The Veterans Tribute is ready to pour cement down at the park. Progress is being made.

Theresa Roman – Lives at 2501 Marshfield Road. She has a neighbor that has debris garbage outside of the house and would like it to be picked up. Code Enforcement will be there Thursday or Friday this week to see the issues.

Item 5. HIGHWAY- Excused. Submitted report for Town Board.

Item 6. CODE ENFORCEMENT OFFICER – 1 new single home. Cases are in court.

Item 7. LIBRARY- Supervisor gave report

Item 8. HISTORIAN - Excused.

Item 9: RECREATION –

- Youth Soccer
  - Due to weather, we have had to cancel 3 practices this season. After discussing with Coaches, we've decided to postpone the start of our games until Saturday, 9/15 and push the season an additional week.
- After School Program
  - The Fall session of the After School Program has begun and we have 30 students registered! There has been quite an interest, and we're hoping to get another 10-15 students registered in the next month.
  - Parents have expressed their appreciation of the program starting on the first day of school this year.
  - Starting the program right away took away some stresses in the Elementary School and Transportation Department's Offices. Students could start their ASP schedule right away, and it avoided an abundance of bus passes and early pickups.

- High school track & weight room and walking around the track.
  - Upper Pavilion – Cracked foundation. Please rope off for safety.
- SENIORS: Senior center needs new floors; water fountain needs to be pulled out from the center.

Motion by Peter Robbins, seconded by William Mortiz, to close the Regular Business Meeting at 7:26pm. Carried

Motion by John Tobia, seconded by Ellen Mathis, to open Public Hearing at 7:26pm. Carried

Proof of Publication was shown.

Public Hearing to amend Town Code to Extend the Real Property Tax Exemption for Cold War Veterans. In February 2009 the Town Board adopted the local law, Cold War Veterans period from 9/2/1945 to 12/26/1991. The law reads that a ten (10) year sunset clause meaning it will expire Feb 10<sup>th</sup> 2019. Town assessor suggested that the Town Board make the exemption permanent by removing the sunset provision. Discussion took place.

Motion by Ellen Mathis, seconded by William Mortiz, to close the Public Hearing at 7:35pm. Carried

Motion by Peter Robbins, seconded by Ross Mortiz, to open Regular Business Meeting at 7:35pm. Carried

Moved John Tobia

**TOWN OF NORTH COLLINS  
RESOLUTION ADOPTING LOCAL LAW # 1of 2018  
September 12, 2018**

WHEREAS, a Public Hearing was held by the North Collins Town Board on September 12, 2018 at 7:30 p.m. at the North Collins Town Hall in order to hear all interested parties on the subject of proposed Local Law # 1 of the year 2018 titled AA Local Law to Amend Section 230-9(C)(3) of the Town of North Collins Town Code to Extend the Real Property Tax Exemption for Cold War Veterans@, and

WHEREAS, notice of said Public Hearing was duly published in the Dunkirk Observer on August 9th, 2018, being the official newspaper of the Town and proof of publication being maintained in the town clerk's office; and

WHEREAS, the Public Hearing was duly held as scheduled and all parties in attendance were permitted an opportunity to speak in favor or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act - SEQRA) it has been determined by the Town Board of the Town of North Collins that adoption of said proposed Local Law will not have a significant adverse effect upon the environment; and

WHEREAS, Municipal Home Rule Law of the State of New York provides for the adoption and enactment of local laws; and

WHEREAS, the purpose of Local Law # 1 of 2018 is to extend the real property tax exemption afforded to Cold War Veterans authorized in Section 458-b of the Real Property Tax law and to continue said exemption beyond the existing sunset date of February 10, 2019;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, the Town Board of the Town of North Collins hereby adopts said Local Law as Local Law No. 1 of 2018 and the Town Clerk be and she is hereby directed to enter the adoption of said Local Law in the minutes of this meeting and in the Local Law Book of the Town of North Collins and to give due notice of the adoption of said local law to the Secretary of State as required by law; and it is further

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Seconded: William Moritz

AYES: Tobia, Mathis, Moritz and Robbins  
NOES: 0

RESOLUTIONS:

Moved: Ellen Mathis

BE IT RESOLVED that the Town Board approves changing the October meeting to Tuesday, October 16<sup>th</sup> at 7pm.

Second Peter Robbins

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia, Noe's 0.

The **Tentative Budget** was submitted to the Town Clerk on September 10<sup>th</sup>, 2018 and copies were presented to Town Board members.

Moved: John Tobia

BE IT RESOLVED that the Town Board accepts the **Tentative Budget** as the **Preliminary Budget**.

Second Ellen Mathis

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia. Noe's 0.

Moved : John Tobia

BE IT RESOLVED that the North Collins Town Board will set a Public Hearing on October 16<sup>th</sup>, 2018 at 7:30 pm for Community Development Block Grant. Town Board instructed Town Clerk to place notice for public hearing in Dunkirk Observer.

Second Ellen Mathis

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia, Noe's 0.

Moved: John Tobia

BE IT RESOLVED that the Town Board hold a Public Hearing on the 2019 Tentative Budget on October 16<sup>th</sup>, 2018 at 7:45pm. Town Board instructed Town Clerk to place notice for public hearing in Dunkirk Observer.

Second Peter Robbins

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia. Noe's 0.

Item 10. COUNCILMEN

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**Moritz** : Asked about the North Collins Emergency Squads calls and what kind of service they are going to provide if they drop from paramedic status. Supervisor John Tobia told him to speak with the liaison Mike Perry. Also asked about the newly erected house on Shirley Road - Richard Schaus said it's in the courts.

**Robbins**: Had some questions on Belcher Road project – Asked if the only thing that has been approved was the search and title of the property on Belcher Road. Robbins stated that there is road work being done on Belcher Road on private property with highway employees and town equipment.

Moved: Robbins

BE IT RESOLVED, the Town Board hereby directs the Superintendent of Highways, David Winter, to CEASE and DESIST from using any town equipment and/or Town Employees to perform work on private property located on Belcher Road in the Town of North Collins until such time as the Town Board makes a final decision on whether to accept title to any property on Belcher Road; and be it further

RESOLVED, the Town Board here by directs the Superintendent of Highways, David Winter, that he is prohibited from using any town equipment and/or employees to perform any work on private property for any purpose or at any location, without prior Town Board approval.

Seconded Moritz

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia. Noe's 0.

**Mathis**: School Board meeting – Capital project. 2 new hires Anna Fera and Bryan Parnitzke for the After School Program.

Moved: Ellen Mathis

BE IT RESOLVED, the North Collins Town Board hire Anna Fera and Bryan Parnitzke for the Afterschool Program for the 2018- 2019 year, to be paid minimum wage.

Seconded John Tobia

ROLL CALL: Ayes: Mathis, Robbins, Mortiz, Tobia. Noe's 0.

**Perry**: Excused

Item 11. SUPERVISOR:

Motion by Ellen Mathis, seconded by William Moritz, to accept the Supervisors Report.  
Carried

Mark Poloncarz came to North Collins. He visited the school and parks in North Collins.

Continue support for the Emergency Squad and Veterans Tribute.

Fall Fest is September 15<sup>th</sup>,2018- Love North Collins Weekend

David DiPietro- may have money available for the cemeteries. That could help Clarksburg Cemetery. Application will be filled out.

Spoke with a guy about a splash pad

Looking into street lights savings.

Supervisor is getting 3 quotes for the roof that had collapsed in the sheriff's station.

There was some discussion on selling the building.

Item 12. TOWN CLERK:

Monthly Town Clerks Report – Total Revenues \$4190.00, Dog \$155.00, NYS Environmental \$2707.08, Marriage Licenses \$112.50, Supervisors \$ 1,215.42.

AED's from grant came in. Will be setting up training for town employees.

Discussing the holiday parade on 9/18/2018

ZBA meeting on September 25<sup>th</sup> at 7pm at the Town Hall.

Dog Control report read

Item 13. ATTORNEY – Lawton's Water moving forward. In the next couple of months they will have to do an amendment to the amount currently it states \$375,000.00 to \$395,000.00 he stated it was a clerical error but we have some time to make that changes.

Item 14. ADJOURNMENT. Motion to adjourn at 8:09pm by Ellen Mathis. Second: William Moritz. Carried.

Respectfully Submitted By,

Lynn DiVincenzo  
Town Clerk