**THE REGULAR MONTHLY MEETING OF THE TOWN BOARD OF THE TOWN OF NORTH COLLINS WAS HELD ON WEDNESDAY, DECEMBER 14TH, 2022, AT 7:00PM IN THE NORTH COLLINS TOWN HALL, 10569 MAIN STREET, NORTH COLLINS, NEW YORK.**

**PRESENT**: Supervisor John Tobia Councilmen: Ellen M. Mathis

Peter Robbins William Moritz

Town Clerk Lynn M. DiVincenzo

Town Attorney Richard Schaus

Highway Supt. David J. Winter

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

Item 2. Approved the November 9th, 2022, meeting as previously presented.

Moved: Ellen Mathis

Second: William Moritz

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**AUDIT OF BILLS**

Item 3. **MOVED**: Peter Robbins

**BE IT RESOLVED** that the following claims, as set forth in Abstract #12 and in the amount of $146,263.28 are approved for payment by the Town Board:

A# 650,651,652,654,655,656,657,659,660,661,662,663,664,667,668,669,670,671,674,676,677,678,692,696,697,698,699,700,702,704,705,707,708,709,710,713,714,

B # 650,651,654,655,665,673,675,692,708,

DA # 679,680,707,712,

DB# 651,653,656,672,677,679,681,682,683,684,685,686,687,688,689,690,691,708,711

H2-# 693,

H3 # 693,

H4# 666,

SF #

SR #706

SW1 # 658,692,694,695,701,703,

SECONDED: William Moritz

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

Item 4. **VISITORS:**

None.

Item 5. **HIGHWAY:** Everything is good

Item 6**. CODE ENFORCEMENT OFFICER:** No Report.

Item 7. **LIBRARY:** No Report.

Item 8. **HISTORIAN:** No Report.

Item 9. **RECREATION:** Alyson Laing and Kathleen Pratt have turned in their resignations as Recreation Directors.

**MOVED:** Ellen Mathis

**BE IT RESOLVED**, The North Collins Town Board accepts the resignation of Alyson Laing and Kathleen Pratt as co recreation directors effective January 31st ,2023.

SECONDED: Peter Robbins

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

Item 10. **ASSESSOR:** No Report.

Item 11. **COUNCILMEN:**

**Moritz –** Discussed closing the parks but they are starting on the recreation building January 2023.

**Robbins –** All Good

**Mathis –** All Good

Item 12. **SUPERVISOR:**

**MOTION** by Ellen Mathis, seconded by William Moritz to accept the Supervisors report for November 2022. Carried

Food pantry 1-5 on Wednesdays

The Walking Tail will be completed by July of 2023.

Recreation Building should be completed by April 2023

Item 13. RESOLUTIONS:

**Highway Snowplow Contract with Eden:**

**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 the Eighteen Mile Creek bridge, in exchange for the Town of Eden Highway Department plowing Belcher Road and the end of Rocky Mountain Road, for the 2022-2023 season.

SECONDED:Ellen Mathis

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**Highway Budget Transfer:**

**MOVED:** William Moritz

**BE IT RESOLVED**, the North Collins Town Board approves budget transfer from DA2680 (Insurance Recovery) into DA5130.4 (Machinery Contractual) for insurance recovery for Truck repairs.

SECONDED: William Moritz

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**Highway Inter-Municipal Agreement:**

**MOVED:** John Tobia

**BE IT RESOLVED,** the North Collins Town Board hereby agrees to enter into an Erie County Inter-Municipal Highway Shared Services Agreement for the 2023 year.

SECONDED:Ellen Mathis

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**Ketchum Landfill:**

**MOVED:** John Tobia

**BE IT RESOLVED**, the Town Board acknowledges receipt of the Ketchum Road landfill quarterly report and further directs that a copy of the report be filed with the New York state Department of Environment & Conservation.

SECONDED: William Moritz

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**Overnight Parking Town Hall Parking Lot:**

**MOVED:** John Tobia

BE IT RESOLVED, the North Collins Town Board has determined that the Town Hall Parking lot will have no overnight parking, except for authorized personnel, and signs will be purchased and posted.

SECONDED: William Moritz

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**Consultant/Engineer:**

**MOVED:** John Tobia

**BE IT RESOLVED**, the North Collins Town Board will retain Wendell Engineer to review some of the issues that the Planning Board has and to verify that the information contained in the documents presented are accurate for the Solar Project.

SECONDED: Ellen Mathis

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**Town to appoint a Fair Housing Officer:**

**MOVED:** John Tobia

**BE IT RESOLVED**, the North Collins Town Board appoints Supervisor John Tobia as

the Town of North Collins Fair Housing Officer.

SECONDED: William Moritz

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**A RESOLUTION IN OPPOSITION TO NEW YORK STATE ACTIONS RESTRICTING 2ND**

**AMENDMENT RIGHTS**

**MOVED:** John Tobia

**WHEREAS**, the Town of North Collins has a long, proud tradition of staunchly supporting the 2nd

Amendment of the United States Constitution, and

**WHEREAS**, the Town of North Collins supports and promotes safe and responsible gun ownership

Rights of residents across the State of New York, and

**WHEREAS**, in the wake of the evil, heinous actions against defenseless persons at Tops Market in

Buffalo, the New York State Legislature, after that terrible tragedy seized the opportunity to rush through

10 new laws that are meant to erode the right of legal gun owners and punish the legal & legitimate

businesses in the firearm industry, and

**WHEREAS**, shortly thereafter, the Bruen Opinion was handed down from the United States Supreme

Court striking down the restrictive nature of laws limiting and pertaining to Pistol Permits in New York

, and

**WHEREAS**, with the ink barely dry on New York’s newest gun laws, the New York State Senate and

Assembly, in response to the Bruen Opinion, rushed to pass s.51001 & a.41001 during an Extraordinary

Session that essentially gutted the Second Amendment rights of citizens across New York State to carry

their concealed firearm in public, and

**WHEREAS**, the New York State Sheriffs’ Association recognized, these new laws as “punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment Rights”, and

**WHERAS**, as Town Board members in the Town of North Collins, we take an oath of office to uphold the Constitution and this is clearly a flagrant violation of the Constitutional rights of our citizens, taking away their ability to protect themselves and their loved ones and creating a bureaucratic boondoggle that ultimately seeks to disarm our residents, now therefore, be it

**RESOLVED**, that the North Collins Town Board is committed to pursuing all legislative and legal remedies, either alone or in concert with other like-minded municipalities, counties and organizations, to overturn the assault on our Constitutional rights and;

**RESOLVED**, that copies of this resolution be sent to all Erie County local governments with hope that we can join to overturn these wrong-headed laws;

**BE IT FURTHER RESOLVED,** that a certified copy of this resolution be forwarded to Honorable Governor Kathy Hochul, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Senate Minority Leader Robert Ortt, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly William A. Barclay, and the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature, The Association of Towns, and New York State Conference of Mayors.

Seconded Peter Robbins

ROLL CALL: Ayes: Mathis, Tobia, Moritz and Robbins Noes 0. Carried

**BUDGET TRANSFERS**

**MOVED:** John Tobia

**BE IT RESOLVED,** the North Collins Town Board approves the transfer of $20,000.00 from

General fund to General fund capital Reserve A230 and Budget and transfer $1000.00 from B

fund to B fund Cemetery Reserve B230 as per 2022 budget.

**FUTHER BE IT RESOLVED** the North Collins Town Board will establish landfill reserve and

Transfer $10,000 from General Fund to General Fund Landfill reserve A230.1 as per 2022

Budget.

Item 14. **TOWN CLERK:**

Monthly Town Clerks Report for November 2022: Total Revenues $3,071.50, Dog $30.00, DEC $411.02 Health $22.50 Supervisors $ 2,607.98.

Dog control report for November 2022 submitted.

We have Covid Tests available if anyone needs one.

Christmas Parade December 17th starting 6pm.

Drug Drop off - We now have a box in the Town Hall.

Item 15. **ATTORNEY:**

Working on a contract for Tom Wilder

Also he reported that the solar project will take about 6-7 months.

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Item 16. **ADJOURNMENT.** Motion to adjourn at 7:36pm by John Tobia. Second: Peter Robbins. Carried.

Respectfully Submitted By,

Lynn DiVincenzo

Town Clerk