

2020 Org. Mtg. and TB Mtg.  
 2020 ORGANIZATIONAL MEETING AND  
 REGULAR TOWN BOARD MEETING  
 COLDEN TOWN HALL – January 9, 2020

MEETING CALLED TO ORDER AT 6:03PM  
 SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
 FOR FLORENCE KLOIBER, RONALD ZIEMBA, RICHARD DUTTON, JACK  
 MARIACHER, JOHN GRUDZIEN, RITA KOWALIK, STANLEY WANGELIN AND JOHN  
 DZUILKO JR. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT: Councilman David Arcara  
 Councilman Jesse Hrycik  
 Councilwoman Patricia Zurbrick  
 Councilman Gerald Pietraszek  
 Supervisor James DePasquale

ALSO  
 PRESENT: Highway Superintendent Paul Clarkson  
 Bldg. Insp/Code Enf. Officer John Kotlarsz  
 Asst. Bldg. Insp/Fire Insp. Thomas Dzuilko  
 Town Clerk Christina Kerlin  
 Approximately 11 Residents

2020 ORGANIZATIONAL MEETING

Councilman Pietraszek read the following:

- The elected Town Officials are salaried for the year 2020 as per budget as follows:

Supervisor James DePasquale		\$30,884.00
Budget Officer		<u>\$2,510.00</u>
		\$33,394.00
Council Members (4)	Gerald Pietraszek	\$6,365.00
	David Arcara	\$6,365.00
	Patricia Zurbrick	\$6,365.00
	Jesse Hrycik	<u>\$6,365.00</u>
		\$25,460.00
Town Clerk	Christina Kerlin	\$43,198.00
	Highway Clerk Typist	\$2,975.00
	Vital Statistics	<u>\$587.00</u>
		\$46,760.00
Highway Superintendent	Paul Clarkson	\$67,644.00

Town Justice (2)	Michael Schneider Sr.	\$12,808.00
	Martin McMahon	<u>\$12,808.00</u>
		\$25,616.00

2. Highway employee's salaries for 2020 as per contract are as follows:

MEO	\$27.85 hr	Motor Equipment Operators
MEO	\$41.77 hr	Overtime

3. Deputy Highway Superintendent

The deputy superintendent of highways will assume his duties during the absence or inability of the town superintendent of highways and be vested with all the powers and duties of the town superintendent as provided by law.

All town equipment such as keys, truck, phone, & pertinent information containing to the duties of the job (access to computer, etc.) will be turned over to the deputy in the superintendent absence.

The compensation for this position will be as follows: Regular pay \$27.85 plus \$5 extra per hour for a rate of \$32.85 per hour & overtime rate of \$41.77 plus \$7.50 extra per hour for an overtime for a rate of \$49.27 per hour. A minimum of 1 hour will be compensated for call outs, checking roads & etc.

4. RESOLVED THAT Ronald Bennett be appointed contractually as Attorney for the Town in accordance with Section 20 (2) (b) to serve as needed throughout the year of 2020 at a flat fee of \$9000.00 general municipal legal services and \$195.00 per hour for court municipal litigation. One (1) year term ending December 31, 2020.
5. RESOLVED THAT Brian Attea be appointed as Town Prosecutor at a rate of \$120.00 per hour. Ryan F. McCann, Esq be appointed to Deputy Town Prosecutor at a rate of \$120.00 per hour.

Councilman Arcara read the following

6. RESOLVED THAT Steven Lehman & Frank Brady be appointed Constables to the Justices for the year 2020. Paul Sobkowiak to be appointed as Assistant Constable when regular constables are not available. All constables to serve with compensation of \$20.19 an hour to be paid bi-weekly.

7. RESOLVED THAT Mark Adamchick be the Certified Public Accountant for the Town of Colden for the year 2020 a flat fee of \$7200.00 per year for AUD and Budget preparations and \$85.00 per hour for auditing books quarterly.
8. RESOLVED THAT Christina Kerlin be appointed as Highway Clerk Typist.
9. RESOLVED THAT Dawn Martin be retained as the Town Assessor at the rate of \$19,500.00 per year.
10. RESOLVED THAT Town Clerk Kerlin appoints Deborah Jusiak as Deputy Town Clerk at an annual salary of \$31,643.00.
11. RESOLVED THAT Supervisor DePasquale appoints Tammy Nuttle as Secretary/Bookkeeper to the Supervisor at a salary of \$31,643.00
12. RESOLVED THAT: Bernard Horschel be appointed as Dog Control/Dog Census Officer with a salary of \$10,300.00 yearly to be paid bi-weekly. The DCO shall assume responsibility for preparing a monthly report to the Town Board on duties performed with full details according to town code. DCO shall submit and maintain an accurate town wide dog census through the year 2020.  
  
RESOLVED THAT the DCO be authorized to accept and obtain all information and certificates pertaining to the licensing of a canine in order to release a seized canine to the owner outside of regular business hours. All information and certificates collected will be turned over to the Town Clerk on the next regular business day for processing.
13. RESOLVED THAT John Kotlarsz be appointed as Code Enforcement Officer in charge of Zoning & Enforcement with a salary of \$15,450.00 yearly to be paid bi-weekly.  
  
RESOLVED THAT Thomas Dzuilko be appointed to assistant Code Enforcement Officer/Fire Inspector regarding zoning, enforcement with the salary of \$7,500.00 yearly to be paid bi-weekly.
14. RESOLVED THAT Greg Adams be appointed Water Operator at a rate of \$22.51 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

RESOLVED THAT Ron Smith be appointed as Water District Clerk at an hourly rate of \$17.39 per hour to be paid bi-weekly.

RESOLVED THAT Ron Smith be appointed as Assistant Water Worker at an hourly rate of \$13.44 per hour to be paid bi-weekly

15. RESOLVED THAT Richard Hartman be appointed Town Maintenance Worker at a rate of \$19.67 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

16. RESOLVED THAT Jaime Richards be appointed as Court Clerk with a wage of \$16.88 per hour paid bi-weekly. Final increase to \$17.39 in May 2020.

RESOLVED THAT Marie Falzone be appointed as Court Clerk Assistant/ Trainer with a salary of \$200.00 to be paid bi-weekly. As of July 1, 2020 Marie, Falzone will continue to take on the position of substitute court clerk as needed at the rate of \$17.39.

RESOLVED THAT the Court Stenographer with a wage of \$100.00 for three hours worked to be paid contractually.

Councilman Hrycik read the following

17. RESOLVED THAT Kip Palmateer be appointed as Recreation Supervisor at a yearly salary of \$12,213.00 to be paid bi-weekly with no benefits.

RESOLVED THAT Tina Mary be appointed as Recreation Assistant Supervisor at a yearly salary of \$6,107.00 to be paid bi-weekly with no benefits.

RESOLVED THAT Carrie DePasquale be appointed as Recreation Assistant Supervisor at a yearly salary of \$5,535.00 to be paid bi-weekly with no benefits.

18. RESOLVED THAT Tere Feidt be hired as Parks Department employee at a rate of \$19.44 per hour.

19. RESOLVED THAT Frank Brady be appointed as part-time Parks Department employee at a rate of \$14.39 per hour for snow removal from sidewalks.

20. RESOLVED THAT David Grace be appointed as substitute part-time Parks Department employee at a rate of \$14.39 per hour for snow removal from sidewalks.

21. RESOLVED THAT Amy Brautlacht be hired as part-time Cleaner for the Senior Center and the Town Hall at a rate of \$13.84 per hour.
22. RESOLVED THAT Brian Sudyn be appointed as Disaster Coordinator and Paul Clarkson be appointed as Assistant Disaster Coordinator.

**WAGES & SALARIES**

RESOLVED THAT HOURLY EMPLOYEES will be paid the following salaries, commencing January 1, 2020 to be paid bi-weekly unless otherwise noted:

Skilled Laborers:	\$13.11 per hour
Recreation Workers:	\$11.80 per hour
Tennis Instructor:	\$16.39 per hour
Umpires & Referees:	\$11.80 per hour for Soccer and Baseball \$11.80 per hour for Floor Hockey
Board of Assessment Review	\$11.80 per hr. or \$50.00 a day for school/review (whichever greater)

23. RESOLVED THAT USI Insurance LLC>. be the insurance agent for the Town of Colden for the year of 2020.

RESOLVED THAT this Board approve as the form and amount the Employee’s Blanket Bond—which includes the offices of Supervisor & his Secretary, Highway Superintendent, Town Justices, Court Clerk, Town Clerk—Tax Collector, and her Deputy, Peace Officer, Councilmen, Youth Supervisors, Code Enforcement Officers, Dog Control Officer & Emergency Manager and Water Clerk.

RESOLVED THAT the regular monthly meeting of the Colden Town Board shall be held on the second Thursday of each month at 7:00 PM for the regular time and date of the Town Board meeting unless otherwise resolved to change and that the October Board Meeting be held on the (Meetings 2020—October 1<sup>st</sup> and November 5<sup>th</sup>)

RESOLVED THAT any business to be brought to the attention of the Colden Town Board by any elected or appointed official or by the public be submitted for the agenda 72 hours prior to a meeting.

RESOLVED THAT The Springville Journal be the official newspaper of the Town of Colden for the year 2020.

RESOLVED THAT THE TOWN OF COLDEN BOARD receive a copy of the unapproved Board Minutes (from all Town Boards) for public review within ten business days from the date of such meetings. (Open Meeting Law 106) All Boards to receive a copy of the agenda 48 hours prior to the meeting.

RESOLVED THAT: the Town Board will hold a work session the second Thursday of each month at 6:00 PM at the Town Hall prior to the monthly meeting. If a work session is not necessary and the Town Board does not meet it will be posted on the front door of the Town Hall.

Supervisor DePasquale read the following

RESOLVED THAT Christina Kerlin be appointed as the Record Access Officer to accept and receive all FOIL requests

RESOLVED THAT the Town of Colden Tax Assessor be authorized to re-levy any unpaid water bills to be submitted prior to November 20<sup>th</sup> of each year

RESOLVED THAT warrants and abstract checks to be paid within terms of invoice or seven days of authorization.

Be it RESOLVED THAT Bank of Holland be designated as the official depository for all Town of Colden funds.

RESOLVED THAT Supervisor DePasquale is authorized to endorse checks, withdraw or transfer funds with the Bank of Holland and Patricia Zurbrick is authorized to endorse checks in the event the Supervisor is absent.

Be it RESOLVED THAT Tammy Nuttle is hereby authorized by the Supervisor to obtain information and direct telephone transfers for all Town of Colden Checking and Savings accounts.

RESOLVED THAT the debit card issued though the Bank of Holland will be restricted, requiring approval of Supervisor James DePasquale or Councilwoman Patricia Zurbrick for use. The use of the restricted credit card will follow the \$1000.00-dollar limit as per the procurement policy.

Be it RESOLVED THAT: the Investment Policy for the Town of Colden be adopted.

Be it RESOLVED THAT: the Procurement Policy for the Town of Colden be adopted.

Be it RESOLVED THAT: the Supervisor be authorized to invest any surplus monies and tax monies as prescribed by law, wherever most advantageous rates are available.

Be it RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board authorizes payment of claims presented to the Town Board and such voucher shall be accompanied by a

statement by the officer who originates the claim that he approves the claim and the services were actually rendered or supplied and the equipment actually delivered in lieu of the verification of the creditor.

Be it RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board may permit the Supervisor to pay claims for public utilities, insurance, debt service, postage, freight and express charges, before they are audited or reviewed by the Town Board.

Be it RESOLVED THAT the Highway Superintendent be requested to present with all vouchers, signed invoices showing who received what material and on what date.

Be it RESOLVED THAT all officers be permitted to attend meetings of a legal nature and be reimbursed for the costs. Conferences should be told to the town board prior to attendance. Dues for national, state and county associations shall be paid by the Town of Colden from General Funds.

Be it RESOLVED THAT all employee reimbursement requests are submitted within 60 days of said expenditures to be eligible for payment within the budgetary year.

Be it RESOLVED THAT: Any official using his or her automobile while conducting Town Business shall be reimbursed on the basis of \$.575 per mile upon submission of a duly executed voucher, stating the date, reasons for travel and the number of miles. That food allowance for employees who attend business meetings or seminars for the Town of Colden be allowed to \$70.00 per day. Food Allowance for NY City will be \$125.00 a day. Receipts will be required for reimbursement.

Be it RESOLVED THAT Meals on Wheels volunteers for the Town of Colden be reimbursed on the basis of \$.575 per mile, upon submission of a duly executed voucher, stating the date(s) and number of miles.

24. Be it RESOLVED THAT the Tax Collector & Town Clerk retain a petty cash fund of \$100.00 each during 2020, Supervisor retain a petty cash fund of \$200.00 during 2020, The Water District Clerk retains a petty cash fund of \$150.00.

Be it RESOLVED THAT the Town Clerk retain a petty cash fund of \$100.00 during 2020 for collection of Water District Payments.

Be it RESOLVED THAT the Supervisor be authorized to pay the bills for all funds including payroll and the Town Board shall audit the bills every month prior to the Town Board meeting. Be it RESOLVED THAT the Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year a copy of the report sent to the State Comptroller as required by Section 30 of the General Municipal Law; and thereafter a summary of such report to be published pursuant to law. Upon written request from the chief fiscal officer, the comptroller may extend the period for filing such report for an additional sixty days.

## 25. NEXT ITEMS ARE APPOINTMENTS & COMMITTEES

I appoint Joseph Marren as Town Historian at the yearly salary of \$765.00.

I appoint David Arcara as Affirmative Action Officer

Town Law Section 6 authorizes the Supervisor to appoint solely in his or her discretion, committees consisting of the members of the Town Board. Since the Supervisor has the discretion in regards to the creation of these committees as well as appointments of the Town Board member, the Supervisor also has the discretion of which matters are referred to the committee.

The following committees for the year 2020 appointed by the Supervisor:

Buildings	Councilman Arcara
Code Enforcement Officer	John Kotlarsz
Community Development	Councilwoman Zurbrick
Dogs	Councilman Arcara
Environment	Councilman Pietraszek
Highway & Parks	Supt. Clarkson/Councilman Arcara
Insurance	Councilman Arcara
Library	Councilman Hrycik
Personnel & Training Coordinator	Councilwoman Zurbrick
Planning	Councilman Hrycik
Water District	Councilman Pietraszek
Youth/Adult Recreation	Councilwoman Zurbrick

26. RESOLVED THAT attendance at board sessions is an essential responsibility of board members. Failure to attend 70% of sessions is grounds for revocation of appointment.

27. RESOLVED THAT Crystal Barrett be appointed as Secretary of the Board of Assessment Review, Planning, Environmental & Zoning with a wage of \$17.39 per hour paid bi-weekly.

28. Planning Boards (7 – 7 Year Appointments)  
Meets the 3<sup>rd</sup> Tuesday of each month @ 7 PM

Robert Walker	December 31, 2024
Walter Kammer	December 31, 2025
Jacqueline May	December 31, 2026
Linda Kotlarz	December 31, 2020
Frank Hrycik	December 31, 2021
Peter Newsom	December 31, 2022
George Reinhardt	December 31, 2023

29. Environmental Board (5 – 2 year Appointments)  
Meets the 1<sup>st</sup> Tuesday of each month @ 7 PM

Craig Bouquin	December 31, 2021
Deborah Pasco	December 31, 2020
Linda Antkowiak	December 31, 2020
Ellen Eigenbrod	December 31, 2021
Deborah Jusiak	December 31, 2021

30. Zoning Board (5 – 5 year Appointments)  
Meets the 3<sup>rd</sup> Thursday of each month @ 7 PM as needed

Peter Frank	December 31, 2022
Bernie Horschel	December 31, 2021
Janet Dillsworth	December 31, 2025
Shawn Webster	December 31, 2023
Mark Bus	December 31, 2020

31. Board of Assessment Review (5 – 5 year Appointments)  
Meets the 4<sup>th</sup> Tuesday of May

Jill Masset	September 30, 2022
Megan Jarecki	September 30, 2025
Keith Van Lew	September 30, 2024
John Pasco	September 30, 2020
Craig Bouquin	September 30, 2021

32. RESOLVED THAT all Department heads and Volunteer Board Chairman's are to submit reports and requests to the Town Clerk within 72 hours prior to the monthly Town Board meeting. A representative from each department or board is encouraged to attend the monthly Town Board Meeting.

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek to approve the 2020 Organizational appointments.

On the Vote: Councilman David Arcara - yes  
Councilman Jesse Hrycik - yes  
Councilwoman Patricia Zurbrick - yes  
Councilman Gerald Pietraszek - yes  
Supervisor James DePasquale – yes

Organizational meeting adjourned at 6:24pm.

Recessed for review of the Town Board Books for the Supervisor/Bookkeeper, Town Clerk/Tax Collector and Town Justices

Supervisor DePasquale stated that the books are also available for review anytime during the year.

Meeting called back to order at 6:35pm.

## REGULAR TOWN BOARD MEETING

### MINUTES:

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek and unanimously approved the December 12, 2020 Town Board meeting with a correction on page 3 the approval amount for the Dual Auger Snowblower was reported at \$7,977.00 and should have been stated as \$7,997.00. (Councilman Arcara abstained on the vote)

### COMMITTEE REPORTS

#### BUILDING REPORT

Councilman Arcara reported that the Bilco doors at the Senior Center will be installed once the weather breaks likely in the springtime. Doors at the highway garage have been repaired.

#### CODE ENFORCEMENT OFFICER REPORT

Report for the month of December 2019 – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

- 4 Building permits issued
- 8 Certificates of Compliance
- 1 First Notice of Violation
- 1 Court Appearance
- 1 Fire inspection

Some items that the Building Department are working on are a homeowner on Finch Road is in the process of selling his property and there was a question on a set of buried gas tanks that are on the property. The CEO's have been working with the Town Attorney and DEC to make sure all requirements are met. Property owner at the end of Bleistein Road is looking into subdividing property to cross over to Darien Road. Information on 14 homes were turned over to the WNY Law Center, 4 out of the 14 met the requirements for the Zombie Homes.

Training on the new software program for the CEO is going well there is town information that is being added to customize to the towns building codes.

#### COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported the following:

-Boston-Colden Chamber of Commerce is holding a Awards Dinner on Thursday, January 23rd at the Topsy Goat from 6pm to 8pm, cost is \$25.00 Food will be provided with a cash bar.

A letter was received from Erie County Executive Mark Poloncarz who was pleased to announce that the Bread of Life Outreach Center received the Community Development Block Grant in the amount \$100,000.

**Bread of Life Outreach Center Hours of Operation**

Food Pantry

Thursdays 3pm-6pm  
Saturdays 10am - 1pm

Gabriel's Closet Thrift Shop

Tuesday 10:00am - 2:00pm  
Wednesday 10:00am - 2:00pm  
Thursday 3:00pm- 6:00pm  
Saturday 10:00am - 1:00pm

**DOG CONTROL OFFICER REPORT**

Councilman Arcara read the following DCO report for December 1, 2019 – December 31, 2019.

A resident called looking for information on dog kennels, a couple of calls on missing dogs all returned home. Town of Aurora called about a missing dog that might have been in our area.

Prosecutor called about two dog bite cases.

There were 400 calls received this year, 40 court appearances, three dog bite cases two are closed out, court deposition in Buffalo. New Laws for dog bites have been implemented you need to report within 15 days.

**ENVIRONMENTAL BOARD REPORT**

No report

**HIGHWAY REPORT & PARKS**

Highway Superintendent Clarkson reported the following:

Highway Superintendent Clarkson presented his “Agreement to Spend” for the year 2020.

Approve “Agreement to Spend”

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved and signed the 2020 Highway Agreement to Spend in the amount of \$209,984. for 22 miles of town highways, including sluice and culverts.

There have been quite a few town highway barns that have burned do to trucks starting on fire, with that said Highway Superintendent Clarkson will be purchasing shutoffs for the rucks in the mean time they are manual disconnecting the trucks when they are done using them.

Highway Superintendent Clarkson “Thanked” his highway men for doing a great job while he was away, they had trucks that went down and the newest highway man is fitting in quite well.

Supervisor DePasquale asked for highway workers Lee Wohlheuter and Mark Offhaus to step forward to take the oath of office for Deputy Highway Superintendent and Jacqueline May for Planning Board member.

#### INSURANCE REPORT

No report

#### LIBRARY REPORT

Councilman Hrycik reported that the Boston Library will be offering the following items to be available for a 7 day loan Sports Action Camera, Green Screen, Outdoor Projector and Screen, Telescope, Trail Camera, Ukulele, Portable Light, Therapy Energy Lamp, Digital radon Detector, Metal Detector, Karaoke System, Bubble Machine.

#### PERSONNEL & TRAINING REPORT

No report

#### PLANNING BOARD REPORT

No report

#### WATER REPORT

Councilman Pietraszek reported at the present time water consumption billed to ECWA for the prior month was 1,896,000 gallons at a cost of \$4,891.68 + \$256.25 = \$5,147.93 expenditure.

-Waiting on Ehmke to finish landscaping area is to wet to do any work

-Valves have been exercised

-All hydrant poles marked

-All RPZ checks complaint there were 15 total

-214 bills were sent out totaling \$19,225.90

**YOUTH/ADULT RECREATION REPORT**

Councilman Zurbrick reported that floor hockey starts tonight. Approval is needed for Alainey Leatherbarrow at minimum wage for floor hockey. The first movie night was on January 3<sup>rd</sup>, more movies are planned for the future. There will be an adult Gnome Making class on January 22<sup>nd</sup>. Forms are at Town Hall. Fee is \$25 and limited to 10 people. A self-defense class will be announced soon once a date is picked.

Approve Alainey Leatherbarrow

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved Alainey Leatherbarrow at minimum wage for the recreation department floor hockey program.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**RESOLUTIONS**

None

**BUDGET TRANSFERS**

None

**TOWN CLERK REPORT**

Town Clerk Kerlin reported that information was supplied to the Town Board on updating of the General Code books.

**SUPERVISOR'S REPORT**

Supervisor DePasquale wished everyone a "Happy New Year". Town Board will be working on some ideas for the property that was purchased next to the existing park and planning of the Summer Concert Series.

PAY BILLS

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek and unanimously approved to pay the following bills.

General Fund Warrant Voucher #2019-466 to #2019-497	\$21,066.87
Highway Fund Abstract Voucher #2019-201 to #2019-217	\$36,856.05
Water District Voucher #2019-76 to #2019-78	\$ 5,200.31
Lighting District Voucher #2019-19 to #2019-21	\$ 1,397.19
Refuse Fund Voucher #2019-34	\$19,457.80
General Fund Warrant Voucher #2020-01 to #2020-13	\$37,637.97
Highway Fund Abstract Voucher #2020-01	\$ 4,304.49

PRIVILEGE OF THE FLOOR

No comment

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously adjourned the meeting at 7:17pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk