

MEETING CALLED TO ORDER AT 7:00pm  
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF  
SILENCE FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT

Councilman Dennis Robinson  
Councilman Jesse Hrycik  
Councilman Patricia Zurbrick  
Councilman Gerald Pietraszek  
Supervisor James DePasquale

ALSO PRESENT

Highway Superintendent Wohlhueter  
CEO John Kotlarsz  
CEO Tom Dziulko  
Recreation Director Kip Palmateer  
Town Accountant Mark Adamchick  
Budget Officer Tammy Nuttle  
Planning Chairman Walt Kammer

DCO Michelle Zak  
Environmental Board Member Paul Idzik  
Town Clerk Deborah Jusiak  
EC Sheriff Miller  
Max Borsuk Springville Journal Editor  
Approximately 5 residents

REGULAR TOWN BOARD MEETING

MINUTES:

MOTION made by Councilwoman Zurbrick, seconded by Councilman Robinson, and unanimously approved the minutes from the Budget Workshop on October 2, 2025, Board Workshop on October 9, 2025, Regular Town Board Meeting held on October 9, 2025, and Moratorium Public Hearing minutes from October 28, 2025.

SAFETY

Erie County Sheriff Deputy Miller gave the following report:

|                                  |                                  |
|----------------------------------|----------------------------------|
| • 64 calls for service           | • 3 Accidents                    |
| • 45 Premise checks              | • 4 Calls at group home on Crump |
| • 29 Community Policing Contacts | • 1 Arrest                       |

Miller reported that there were 6 cars broken into and 1 stolen car which was recovered. He reminded residents to lock all doors. There will be a neighborhood watch meeting on Friday, November 14, 2025, at West Falls Fire Hall at 6pm. Miller also attended Trunk or Treat, Fall Fest and the Veterans Day ceremony.

**PUBLIC HEARING**  
**2026 BUDGET HEARING**

Supervisor DePasquale opened a public hearing for the 2026 Town of Colden Budget at 7:05 pm, The Town Board reviewed the budget in detail:

- **General Fund:** There is no general fund tax. The town board contractual line was cut to \$750, and capital outlay was reduced to \$40,000. Insurance costs were increased by 15% in anticipation of rate hikes. The total budget is \$1,178,970, with \$430,850 appropriated from the fund balance.
- **Highway Fund:** The tax rate will be \$5.726 per thousand, a 2.19% increase, which helps to offset rising salt and oil costs.
- **Special Districts:** The Street Lighting Fund will see a 6.4% tax bill increase. The Refuse Fund contract includes a 5% increase, bringing the total annual cost per household to \$286.70. The Water District budget was increased to cover water purchases due to leaks, though recent repairs have significantly reduced water loss.
- **Fire Districts:** The Colden Fire District requested \$413,616, and the Aurora-Colden Fire District requested \$436,204.
- **Salary:** The Town Board reviewed the salary schedules for all town departments. A question was raised about showing total compensation (salary plus benefits) for transparency, but it was noted that benefits are not broken down per employee, but the information is always available to the public at the Town Hall.

A resident raised concerns about properties on the 2025 tax roll not being class coded correctly. The Board noted the concern and stated they would follow up with the town assessor, saying the assessor has a cutoff date for changes. There were no other questions. Supervisor DePasquale closed the Public Hearing at 7:45 pm.

#### Approval of 2026 Town Budget

MOTION made by Councilman Robinson and seconded by Councilman Pietraszek and unanimously approved the 2026 Town Budget by the following vote:

|              |                                      |
|--------------|--------------------------------------|
| On the Vote: | Councilman Dennis Robinson - yes     |
|              | Councilman Jesse Hrycik – yes        |
|              | Councilwoman Patricia Zurbrick – yes |
|              | Councilman Gerald Pietraszek – yes   |
|              | Supervisor James P. DePasquale – yes |

#### OLD BUSINESS

No Report

#### NEW BUSINESS

No Report

#### COMMITTEE REPORTS

##### BUILDING REPORT

Councilman Robinson gave the following report:

The Adirondack chairs and information kiosk need to be replaced in the spring, and the Senior Center man door has been replaced. The Town Hall front gutter system and fascia were repaired by Supervisor DePasquale. Robinson stated that the public should know that all the Town Board members “step-up” to help to save money whenever possible. All the town parks, buildings, and bathrooms have been closed and winterized for the season. There is a plan to fix the back of the Senior Center gutter and fascia next year.

#### CODE ENFORCEMENT OFFICE REPORT

CEO Dziulko read the following report:

##### Report for the month of October 2025

15 Building Permits Issued

3 Certificates of Occupancy

29 Certificates of Compliance

A pause has been placed on NYS "all-electric" building requirement for new construction.

#### COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported the following:

The Colden Seniors held their last meeting of the year but still have a trip planned in December. There will be a spaghetti dinner at the Colden Fire Hall on Sunday, November 16, 2025, from 3 - 7 pm to benefit Colden’s New Year’s Eve celebration at the Fire Hall. The carolers will be returning for the Christmas tree lighting at the gazebo on December 6, 2025, and there will be a children’s Christmas event on December 13, 2025, at the Firehall featuring Santa and Mrs. Claus. More information is on the Colden Recreation Facebook page.

#### DOG CONTROL OFFICER REPORT

Councilman Robinson read the following report from DCO Zak:

10/3/25 – Zak received a call from the Erie County Sheriff’s Office reporting a dog bite to a resident at 9313 State Road by her tenant’s dog. DCO gave the victim paperwork to complete and return within 10 days. DCO did not hear back from either party. Zak is keeping on top of the new NYS Ag and Markets kennel rules.

#### ENVIRONMENTAL BOARD REPORT

No Report

#### HIGHWAY AND PARKS REPORT

Superintendent Wohlhueter reported the following:

November Highway Report

- Plow fleet is ready to go. Preventative maintenance and undercoating have been completed
- Sand and salt barn is full
- Road grass cutting and right of way clearing has wrapped up

Parks Report

- The bathrooms at the park have been winterized and the water has been shut down

Councilman Robinson reported that the disc golf tournament was a huge success, raising \$900 for the Town.

INSURANCE REPORT

No Report

LIBRARY REPORT

Councilman Hrycik reported:

Boston Free Library Events include an Adult Ukulele Club, Writers Club, Chess Club, Preschool Storytime, and a Thanksgiving craft on November 20, 2025, at 5 pm.

West Falls Colden Library Sent a letter asking for an increased donation from the Town for youth events, materials and snacks. The Board will discuss the request next year at budget time.

PERSONNEL REPORT

Councilwoman Zurbrick read a resignation letter from Brody Hacker resigning from the Highway Department effective November 7, 2025. She stated that Brody was sincerely appreciated and will be missed.

MOTION made by Councilwoman Zurbrick, seconded by Supervisor DePasquale and unanimously approved to accept the resignation of Brody Hacker, effective as of November 7, 2025.

Superintendent Wohlhueter and the Board discussed hiring Brody Hacker on a per diem basis as needed for emergency situations and mechanical repairs at a rate of \$50.84 per hour. Wohlhueter does not plan to fill Brody's position during their busy winter season because of the time required to train a new person.

MOTION made by Supervisor DePasquale seconded by Councilman Robinson and unanimously approved to hire Brody Hacker for emergency situations and mechanical repairs per diem at a rate of \$50.84/hour.

PLANNING REPORT

Councilman Hrycik reported on the October Planning Board meeting. They discussed code for Battery Energy Storage Systems, researched a fines and fees schedule, compiled a final draft for

short-term rentals, and began work on a local law amending Chapter 108 to regulate Colden's restrictive zoning districts for farming poultry.

#### WATER DISTRICT REPORT

Councilman Pietraszek read the following report:

- **Usage update:** At present time consumption billed by ECWA 3,058,000 gal. cost \$ 12,354.32 + \$401.73 = \$ 12,756.05 expenditure.
  - ECWA water cost \$4.2 / K
- Water usage for Sept– 68 G/M/30D
- Continue to replace meters and registers if broken with new NexT10,
- Turned off hydrant #8 (last in BC Rd lay), need to remove hydrant to fix. Suggest purchasing new hydrant and repair old to use when next hydrant has issues
- There are more than 10 meters not reading, Jesse working on list and emergency issues.
- Rural water out, verified leak at 8103 & 8207 State, could not hear anything at 8911 State. Will try fluoride testing.
- Letter to 8103 State Rd to fix his leak between curve stop and meter. Fix completed.
- Letter to 8207 State Rd to fix his leak, line fixed, reduced waste by 50,000 gal.
- Investigating 8911 State Rd for leak.
- Arears posted. November bills sent out.

Water Billing:

- Open Accounts as of 05/01/2025 billing:

|                          |                     |                 |
|--------------------------|---------------------|-----------------|
| Water Charge (221 units) | \$ 25,774.46        | (3,130,533 gal) |
| Infras + Capital Surchg  | \$ 4,178.70         |                 |
| Arrears                  | \$ -195.62          |                 |
| <b>Total Billed Sent</b> | <b>\$ 29,757.54</b> |                 |
| Current Receipts to date | \$ 0.0              |                 |
| <b>RELEVY</b>            | <b>\$ 8,374.51</b>  |                 |

Councilman Pietraszek read the following resolution to relevely the unpaid water accounts:

**TOWN OF COLDEN  
COLDEN N.Y. 14033  
RESOLUTION #2025-15  
RELEVY UNPAID WATER BILLS**

WHEREAS, The Town of Colden has 25 delinquent Water accounts in the amount of \$8,374.51, remaining unpaid, including late charges.

NOW THEREFORE, BE IT RESOLVED: That no further payments will be accepted after October 30, 2025, and any and all unpaid water accounts as of this date, be relevied onto the 2026 Town of Colden Property Taxes.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson to adopt the resolution.

Duly adopted this 13<sup>th</sup> day of November 2025 by the following vote.

On the Vote: Councilman Dennis Robinson - yes  
Councilman Jesse Hrycik – yes  
Councilwoman Patricia Zurbrick – yes  
Councilman Gerald Pietraszek – yes  
Supervisor James P. DePasquale – yes

## RECREATION REPORT

Recreation Director Palmateer read the following report:

We are looking forward to the following activities:

- Sound Bath on November 14, 2025, 7:00 at the Senior Center
- Part 2 of the Pottery class on November 19 at the Senior Center
- Tree lighting will be on December 6, 2025, at 6:30 at the Town Hall
- Holiday Crafts with Santa and Mrs. Claus at the Colden Fire Hall 5:00 on December 13, 2025

## RESOLUTIONS

Supervisor DePasquale read the following Resolution regarding public participation at Town Board meetings:

**TOWN OF COLDEN  
COLDEN, N.Y. 14033  
RESOLUTION #2025 - 16**

WHEREAS, a town board has the right to promulgate rules of procedure for the orderly conduct of its meetings and for the proper management of the business and affairs of the town. The town board may invite and permit residents of the town to participate therein so long as such participation is orderly and constructive and does not interfere with the business and purpose of the meeting,

WHEREAS, to carry out its purposes, the town board may prepare and circulate an agenda limiting the time and scope of the discussion by persons attending such meetings. The NYS Comptroller's Office has stated that "in general, the public is free to attend town board meetings" but does not have a right to speak at a Town Board meeting except as provided by board rules. "The Town Board may adopt rules and procedure limiting discussion of the matters before the board".

THEREFORE BE IT RESOLVED, that the Colden Town Board encourages public participation at its meetings and designates a time limit of no more than 3 minutes per person to speak during Request to be on the Agenda and Privilege of the Floor in order to conduct its meetings in an effective and controlled manner.

Motion to Approve a limit to public participation at Town Board Meetings

MOTION made by Councilman Pietraszek, seconded by Councilman Robinson and unanimously approved the resolution to cap public participation at 3 minutes to conduct board meetings in an effective and controlled manner.

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Jusiak reported that Local Law #2025-4 Amendment to Vehicles and Traffic was filed with NYS on October 14, 2025. The law includes a 30-mph speed limit on Gutekunst Rd.

The Board discussed the sale of Waste Management stickers for extra refuse bags and additional bulk items. The stickers would be purchased in a group of 500 and be sold for \$5/sticker at the Clerk's Office. It was noted that Waste Management will eventually stop picking up non-official cans once new automated trucks are in service.

MOTION made by Supervisor DePasquale, seconded by Councilwoman Zurbrick, and unanimously approved to purchase 500 bulk/refuse stickers for \$5 each to be sold at cost to residents for disposal of extra bags and bulk items.

SUPERVISOR'S REPORT

Supervisor DePasquale gave the following report:

The Veterans Day parade and camp-out run by Mike Willoughby and Jeff Thomas of Livingstone Lodge was a great success, raising over \$15,000 for the Battle Within Foundation. The Supervisor's Office is looking into the veterans' hometown hero banners, hopefully having them in place by Memorial Day.

PAY BILLS

MOTION made by Councilwoman Zurbrick, seconded Councilman Hrycik and unanimously approved to accept to pay the following bills:

|                            |                          |             |
|----------------------------|--------------------------|-------------|
| General Fund Abstract      | 2025 Voucher #446 - #487 | \$20,046.01 |
| Highway Fund Abstract      | 2025 Voucher #146 - #164 | \$20,613.88 |
| Water District Abstract    | 2025 Voucher #49 - #52   | \$ 3,056.05 |
| Lighting District Abstract | 2025 Voucher #14         | \$ 1,854.37 |
| Refuse Fund Abstract       | 2025 Voucher #10         | \$32,018.42 |
| Cares Act Abstract         | 2025 Voucher #7 - #12    | \$ 3,781.14 |

**PRIVILEGE OF THE FLOOR**

Supervisor DePasquale congratulated the winners of their elections and wished everyone a Happy Thanksgiving.

**ADJOURN**

MOTION made by Councilwoman Zurbrick, seconded by Councilman Pietraszek and unanimously approved to adjourn the meeting.

Motion carried and

MEETING ADJOURNED AT 8:27 PM

Respectfully submitted,

Deborah Jusiak  
Town Clerk