

MEETING CALLED TO ORDER AT 7:02 pm  
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
IN MEMORY OF SANDRA COLLING AND PEARL SZCZYGIEL FOLLOWED BY THE  
PLEDGE OF ALLIEGIANCE

PRESENT

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

ALSO PRESENT

Highway Superintendent Lee Wohlhueter  
CEO John Kotlarsz  
Planning Board Chairman Walter Kammer  
Erie County Sheriff's Deputy Shane Miller  
Town Clerk Deborah Jusiak  
Randy Barber, Unite 4 Freedom  
Mike Wolniewicz Colden Arts Festival  
Max Borsuk Springville Journal  
Approximately 4 residents

MINUTES TO BE APPROVED

MOTION made by Councilman Hrycik, seconded by Councilman Robinson and unanimously approved the minutes from the Regular Town Board Meeting held on February 12, 2026.

SAFETY

Deputy Miller reported the Sheriff's Office February 2026 responses in Colden:

61 calls for service	14 Community Policing contact
9 Premise checks	2 Arrests

Miller thanked the Town Board for posting the Tip411 information and he's been doing extra patrolling in some neighborhoods. Deputy Malican will be the community engagement team contact next month.

REQUEST TO BE ON THE AGENDA

Randy Barber, a spokesman for Unite for Freedom asked the Town Board to pass a resolution calling for a legally valid 2026 election with accurate and transparent voter rolls and system reconciliations.

Supervisor DePasquale read the resolution for: **A Legally Valid 2026 General Election:**

**WHEREAS** Free and fair elections form the cornerstone of the Republic of the United States. As stated in Reynolds v. Sims (377 U.S. 533, 1964), "the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise."

**WHEREAS** Election officials bear the responsibility to ensure elections remain accurate and free from manipulation. In *In re Coy* (127 U.S. 731, 1888), the United States Supreme Court affirmed that election officials must strictly adhere to federal and state laws governing process, defining election misconduct as follows: “The evil intent consists in disobedience to the law.”

**WHEREAS** Our constitutional system of representative government relies on four fundamental principles for validity in our elections:

1. Accurate Voter Rolls: Election officials must maintain voter registration lists that are current and correct, which includes facilitating the registration of eligible citizens as well as preventing the registration of noncitizens, fictitious names, and ineligible applicants (National Voter Registration Act, 1993).
2. Eligible Votes Only: Election officials must only count votes cast by eligible citizen voters (U.S. Constitution, Fourteenth Amendment, Section 2).
3. Vote Reconciliation: Election officials must ensure that the number of votes counted matches the number of participating voters.
4. System Accuracy: Voting systems must achieve accuracy standards set by Congress by limiting ballot counting errors to no more than one error per 125,000 ballots (Help America Vote Act, 2002). Election officials must substantiate assertions of accurate outcomes with transparent records.

**WHEREAS** Unite 4 Freedom conducted an independent audit of the New York 2024 General Election and uncovered alarming irregularities.

- 5,878,770 material errors and omissions in the voter registration database.
- 895,595 votes improperly counted from these ineligible or uncertain registrants.
- 129,194 excess votes counted beyond the number of voters who participated, with no explanation for their origin.
- 914,571 voting violations exceeding the legal error threshold, where only 67 errors were allowed under federal law.
- The audit findings indicate severe violations of state and federal election laws and potential fraudulent certification.

**WHEREAS** Election accuracy is defined as the ability to capture and report voter selections without error. By definition, only eligible citizens are voters. Election officials violate civil rights, undermine public trust, and jeopardize national security when they certify an election that fails to reach this standard.

**WHEREAS** The irregularities in the official records of the 2024 General Election call into question the validity of the election, threatening the guaranteed protection of our natural rights under a republican form of government. This emergency inflicts immeasurable harm upon our families, our way of life, and the fabric of these United States. It raises the specter of false representation in US Congress and state governments—an allegation that election officials are currently unable to disprove.

**THEREFORE, BE IT RESOLVED** The Colden Town Board of Erie County demands immediate action to ensure a legally valid and transparent 2026 General Election by implementing the following measures:

- 1. Infrastructure Compliance:** Election officials must ensure that all voting systems meet Federal Information Security Modernization Act (FISMA) standards and maintain compliance throughout the election process.
- 2. Voter Verification:** Verify that all voters are legally eligible U.S. citizens before their votes are counted. If a voter’s eligibility is in question, their vote must be held as provisional until legally verified.
- 3. Ballot Security:** Enforce all issued and counted ballots to comply with robust chain-of-custody protocols to secure ballots from forgery, tampering, coercion, destruction, or injection.
- 4. Accurate Counts:** Ensure all voted ballots are received, and every valid ballot is accurately counted, with any material questions resolved through lawful adjudication procedures with oversight.
- 5. Proven Outcomes:** Election officials must investigate and resolve, or if necessary, re-administer any election that cannot be proven accurate and compliant. In every jurisdiction, officials must provide records substantiating election and initiative results to citizens. Additionally, officials must securely store all ballots and operational records—including electronic records—to protect them for auditing purposes from tampering or alteration.

**BE IT FURTHER RESOLVED** That the Colden Town Board calls upon the state of New York and federal legislators, law enforcement agencies, prosecutors, judges, and election boards to uphold these principles, ensure legal compliance and restore public confidence in our electoral system. Our signatures to this resolution affirm our commitment to protecting the constitutional mandate of legitimate representative government and ensuring that every valid vote is counted accurately and lawfully.

MOTION made by Councilwoman Zurbrick, seconded by Councilman Robinson and approved to pass the Resolution for a Legally Valid 2026 General Election by the following vote:

- Supervisor DePasquale - yes
- Councilman Hrycik- yes
- Councilman Robinson- yes
- Councilwoman Zurbrick- yes
- Councilman Pietraszek- yes

OLD BUSINESS

Mill St Bridge Replacement

Supervisor DePasquale reported that work on the Mill St bridge replacement project is ongoing and he will have more information at the April meeting.

NEW BUSINESS

None

## COMMITTEE REPORTS

### BUILDING/PARKS REPORT

Councilman Robinson reported that damage done by a delivery truck to the Highway garage is being addressed, the Senior Center main door lock and hot water dispenser need to be serviced and a security camera at the Highway garage has been repaired.

### CODE ENFORCEMENT REPORT

Report for the month of February – CEO Kotlarsz read the following report:

- 1 Certificate of Occupancy
- 3 Certificates of Compliance
- 1 Court Appearance
- 2 Fire Inspections

Kotlarsz said construction on a new home by **A Soldier's Journey Home** begins next week. It is the first one to be built in New York. The group is looking for volunteers for work in May.

### COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported that there will be a pancake breakfast at the Colden Fire Hall this Sunday, an Easter egg hunt on April 4, 2026, at 11:00 am sharp, and asked for a motion to give the Town's annual \$500 donation to the Colden Fire Company for Easter candy.

MOTION made by Councilwoman Zurbrick, seconded by Supervisor DePasquale and unanimously approved to donate \$500 to the Colden Fire Department for Easter candy.

### DOG CONTROL OFFICER REPORT

#### Withdraw Janis Kidd's Kennel Permit

Councilman Robinson said Janice Kidd of 8860 Phillips Rd would like to withdraw her Special Use Kennel Permit with the Town.

MOTION made by Supervisor DePasquale, seconded by Councilman Robinson and unanimously approved to end Janis Kidd's kennel permit.

### ENVIRONMENTAL BOARD REPORT

Supervisor DePasquale contacted Mark Gaston from Erie County Soil and Water about some homeowners' concerns over significant erosion from the creek along Route 240. He is waiting to hear back.

### HIGHWAY REPORT

Superintendent Wohlhueter reported the following:

#### March Highway Report

- We continue to be in good shape during this major shortage of road salt we are seeing.
- We have just begun starting to service the spring equipment in between plowing.
- The Volvo DD25B Roller and Towmaster T-12DT Trailer requested and approved in the 2026 budget along with the Tommy Gate for the utility truck have ordered

Parks Report

- We have taken delivery of the park playground equipment.
- Spring Equipment is being serviced and ready to go
- New disc golf course signs are being installed

Councilwoman Zurbrick requested larger, more visible “No Overnight Parking” signs be placed at the Town parking lots, current signs are too small. Councilman Robinson said the Sheet Metal Workers Union has a team that has offered to help with the installation of the new Park equipment. Parks Kirby reported that over 170,057 rounds of disc golf were played in the Park last year.

Councilman Robinson read the following proclamation from Erie County Legislator Lindsay Lorigo:

**HONORING THE COLDEN HIGHWAY DEPARTMENT**

**WHEREAS** the Erie County Legislature seeks to honor individuals in Erie County that enhance the quality of life in the community through their efforts, and

**WHEREAS** Highway and Public Works employees maintain essential infrastructure including roads, bridges, culverts, and drainage systems ensuring safe travel for residents, businesses, and emergency responders, and

**WHEREAS** the responsibilities of municipal highway departments are most evident during severe weather conditions, when extreme cold, dangerous wind chills, heavy snowfall, and high winds create hazardous condition and

**WHEREAS** the highway crews work through the night and early morning hours, often while residents are asleep to keep our roads open and communities safe, and

**WHEREAS** Erie County Legislature wishes to recognize the outstanding service of the Highway Superintendent Lee Wohlhueter and the dedicated crew of the Colden Highway Department for their exceptional work, and

**WHEREAS** the professionalism and commitment of the Colden Highway Department reflects its dedication to this community, working year-round to ensure that our family, friends and neighbors are safe on their travels.

**NOW, THEREFORE, BE IT RESOLVED** the Erie County Legislature pauses in its deliberations to honor the Town of Colden Highway Department and Highway Superintendent Lee Wohlhueter for their steadfast service to the people of Erie County. And express its deep appreciation for the continued commitment to the wellbeing of this community.

Signed Lindsey R. Lorigo, Erie County Legislator, District Ten.

### INSURANCE REPORT

Councilman Robinson reported that an approximately 18% increase in health insurance costs will take effect September 1, 2026, the Board will begin looking at different options soon.

### LIBRARY REPORT

Councilman Hrycik reported the following:

- West Falls-Colden Library is featuring Architectural Styles 101 class and is currently expanding adult and youth programs. A new sign is being installed.
- Boston Free Library has an Easter Craft class on April 2<sup>nd</sup> and Easter games on April 12<sup>th</sup>. The site also offers preschool story time, sourdough bread class, chess club and a spring gardening class.

Call to register for all events.

### PERSONNEL REPORT

Supervisor DePasquale reported that Town's annual Comp Alliance training will be scheduled soon, both during the day and evening. A daytime webinar will be available to those unable to attend the in-person sessions.

### PLANNING REPORT

Councilman Hrycik reported on the Planning Board's continuing work on poultry regulation, Mill St bridge replacement, Kummer Park project, and repairs to the Highway building. The Board and Planning Chairman discussed Colden's Short-Term Rentals code.

MOTION made by Supervisor DePasquale, seconded by Councilman Hrycik and unanimously approved to schedule a Public Hearing for Short Term Rentals at the April meeting.  
*(This public hearing was later withdrawn by the Town Board)*

### WATER DISTRICT REPORT

Councilman Pietraszek reported the following:

- **Usage update:** At present time consumption billed by ECWA 1,910,000 gal. cost \$ 8,346.70 + \$434.87 = \$ 8,781.57 expenditure for January water usage.
  - ECWA water cost \$4.8 / K
- Water usage for January – G/M/30D
- Continue to replace meters and registers if broken with new NexT10,
- Turned off hydrant #8 (last in BC Rd lay), waiting weather
- hydrant on 240 near Gutekunst fixed and billed insurance company no payment yet
- Master meter usage up from 40K to 80k, frozen meters & lines fixed in consumer basements. Master now reading 51K, almost to prefreeze weather. Continue to turn valves in attempt to resolve

Water Billing:

- Open Accounts as of 02/02/2026 billing:  
Water Charge (223 units) \$22,158.31 (2602892 gal)

Infras + Capital Surchg	\$4,876.70
Arrears	\$3,832.01
<b>Total Billed Sent</b>	<b>\$30,867.02</b>
Current Receipts to date	\$19,637.91
Arrears to date	\$11,116.14

Councilman Pietraszek reported that the Water Department will be repairing a 1-inch line at the Highway Garage filling station. Superintendent Wohlhueter asked whether the line could be replaced with a 1.5- or 2-inch line to accommodate fire trucks and contractors. They will also be replacing a compound meter at the school over Easter break.

#### RECREATION REPORT

- Defensive Driving Course on March 25, 2026
- Soccer registration is ongoing through March 27, 2026
- Yoga and youth Saturday music classes are ongoing

Councilman Pietraszek introduced Mike Wolniewicz from the Colden Arts Festival committee who spoke about some changes to Festival including a desire to have vendors set up on Friday night and expansion of vendors into the parking lot by the Mill. The Board urged Mike to coordinate any food truck activity with the Town's restaurant owners. Mike will send a letter requesting donations from the Town in May after the committee finalizes its plans.

#### RESOLUTIONS

None

#### BUDGET TRANSFERS

None

#### TOWN CLERK REPORT

The Town Board has advertised open ZBA and historian positions. Tax collection is going well.

#### SUPERVISOR'S REPORT

DePasquale reported that a family from Holland has generously offered to donate a live Christmas tree to the Gazebo area.

#### PAY BILLS

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

General Fund	2026 Voucher #59 – 92	\$21,807.09
Highway Fund	2026 Voucher #16 - 25	\$16,135.67
Water District	2026 Voucher #6 - 10	\$12,904.22
Lighting District	2026 Voucher #18	\$1,910.68
Refuse District	2026 Voucher #2	\$36,576.41

#### PRIVILEGE OF THE FLOOR

Lisa Carr thanked Councilwoman Zurbrick for taking pictures of the creek erosion behind her house. Marilyn Calhoun-Allen stated Short Term Rentals will be presented at the Erie County Supervisor's Meeting in April; Supervisor DePasquale, several Town Board members and Chairman Kammer are planning to attend.

ADJOURN

MOTION made by Councilman Pietraszek and seconded by Councilman Hrycik to adjourn the meeting. Motion carried and

MEETING ADJOURNED AT 8:31 PM

Respectfully submitted,

Deborah Jusiak  
Town Clerk