

REGULAR TOWN BOARD MEETING CALLED TO ORDER AT 7:03pm

THE SUPERVISOR OPENED THE MEETING WITH A MOMENT OF SILENCE
FOLLOWED BY THE PLEDGE OF ALLEGIANCE

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
CEO Tom Dziulko
Planning Board Chairman Walt Kammer
Erie County Sheriff's Deputy Malican
DCO Michelle Zak
Recreation Supervisor Kip Palmateer
Springville Journal Max Borsuk
Town Clerk Deborah Jusiak
Approximately 5 residents

MINUTES TO BE APPROVED

MOTION made by Councilwoman Zurbrick, seconded by Councilman Pietraszek, and unanimously approved the minutes from the Regular Town Board Meeting held on March 12, 2026, noting that the Public Hearing on Short Term Rentals originally scheduled for the April 9, 2026, Town Board Meeting was later withdrawn.

SAFETY

ECSO Deputy Malican reported the EC Sheriff's responses in Colden in March:

90 calls for service	8 Traffic Stops
34 Premise checks	4 Arrests
21 Community Policing contact	

OLD BUSINESS

Mill St Bridge Replacement

Supervisor DePasquale reported that a preliminary design for removal of the Mill St bridge was submitted and a meeting with Shawn Baer, G&W Railroad representative will be scheduled soon. Planning Board Chairman Kammer gave a summary of the proposed project saying it will take about 30 days to complete and require construction of a temporary access road.

Kummer Park Upgrades

DePasquale stated the Kummer Park upgrades are being engineered, and he scheduled a workshop for 6:00 pm on April 16, 2026, to discuss the Kummer Park and Mill St projects.

NEW BUSINESS

Supervisor DePasquale read the following modifications to the 2025 Water, Refuse and Lighting districts needed to balance the 2025 budget:

**MODIFICATION OF THE 2025 TOWN OF COLDEN ADOPTED ANNUAL BUDGET
WATER DISTRICT FUND**

WHEREAS, the appropriated amount in the 2025 budget for line SW8320.4 was **\$70,000.00** and SW8340.2 was **\$3,000.00**

WHEREAS, due to water usage was up in the Water District causing overage in the Water District.

WHEREAS, the total cost of water for the year 2025 was **\$119,013.84**.

WHEREAS a shortage of **\$49,013.84** remains at the year end.

WHEREAS, the total Trans & Distribution Equipment for the year 2025 was **\$7,979.26**.

WHEREAS a shortage of **\$4,979.26** remains at the year end.

WHEREAS, a total of **\$53,993.10** will be appropriated from the Water District fund balance.

NOW, THEREFORE BE IT RESOLVED, the Town Board of Colden modifies the 2025 Water District Budget.

BE IT FURTHER RESOLVED, the Colden Town Board does hereby

Duly adopt this modification on the 9th day of April 2026.

MOTION made by Councilman Hrycik, seconded by Councilman Pietraszek and unanimously approved to adopt the modification to the 2025 Water Budget.

**MODIFICATION OF THE 2025 TOWN OF COLDEN ADOPTED ANNUAL BUDGET
REFUSE DISTRICT FUND**

WHEREAS, the appropriated amount in the 2025 budget for line SR8160.4 was **\$341,453.00**.

WHEREAS, due to recycling was up in the Refuse District causing overage in the Refuse District.

WHEREAS, the total cost of recycling for the year 2025 was **\$341,961.58**.

WHEREAS a shortage of **\$508.58** remains at the year end.

WHEREAS, a total of **\$508.58** will be appropriate from the Refuse District fund balance.

NOW, THEREFORE BE IT RESOLVED, the Town Board of Colden modifies the 2025 Refuse District Budget.

BE IT FURTHER RESOLVED, the Colden Town Board does hereby

Duly adopt this modification on the 9th day of April 2026.

MOTION made by Councilman Robinson, seconded by Councilwoman Zurbrick and unanimously approved to adopt the 2025 Refuse District budget modification.

**MODIFICATION OF THE 2025 TOWN OF COLDEN ADOPTED ANNUAL BUDGET
LIGHTING DISTRICT FUND**

WHEREAS, the appropriated amount in the 2025 budget for line SL5182.4 was **\$27,000.00**

WHEREAS, lighting fees usage was up in the Lighting District causing overage in the Lighting District.

WHEREAS, the total cost of Lighting for the year 2025 was **\$27,349.90**

WHEREAS a shortage of **\$349.90** remains at the year end.

WHEREAS, a total of **\$349.90** will be appropriated from the Lighting District fund balance.

NOW, THEREFORE BE IT RESOLVED, the Town Board of Colden modifies the 2025 Lighting District Budget.

BE IT FURTHER RESOLVED, the Colden Town Board does hereby

Duly adopt this modification on the 9th day of April 2026.

MOTION made by Councilwoman Zurbrick, seconded by Councilman Hrycik and unanimously approved to adopt the modification to the 2025 Lighting District budget.

COMMITTEE REPORTS

BUILDINGS

Councilman Robinson reported that falling ice from the Senior Center roof dented the generator. He will send photos to the installer, but it seems to be functioning fine, the ice problem will be addressed before next winter.

CODE ENFORCEMENT REPORT

Report for the month of March 2025 – CEO Dziulko read the following report:

6 Building Permits Issued	1 Fire Inspection
5 Certificates of Compliance Issued	1 Phone Complaint
1 Court Appearance	

CEO Kotlarsz gave a progress report on a new home on Falls Rd being built by A Soldier's Journey Home. He said they are still looking for skilled and unskilled volunteers. Contact the Clerk's Office for more information.

COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported a successful Colden Fire Easter egg hunt, a Colden Fire Company car show is scheduled for August 22, 2026, is seeking participants and vendors, and a BOLO tea fundraiser is scheduled for April 25, 2026. Zurbrick also asked that the following information be added to the minutes:

Feed More Mobile Food Truck

The Feed More Food Truck Giveaway will be held on the 4th Thursday each month at the Colden Fire Hall.

Bread of Life Outreach (BOLO) and Gabe's on the Hill Hours:

Tuesday, 10am – 4pm

Wednesday, 10am – 4pm

Thursday, 2pm – 5pm

Friday, 10am – 4pm

Saturday, 9am – 2pm

Food Pantry Hours:

Thursday, 3pm – 5pm

Saturday, 9am – 11am

DOG CONTROL OFFICER REPORT

Councilman Robinson reported that a recent dog problem in Town was addressed.

ENVIRONMENT

Councilman Pietraszek reported that Mark Gaston of EC Soil & Water is looking into grants for the Murray Hill Rd and Route 240 erosion issues. DePasquale has been in contact with affected homeowners and Verizon about erosion along Route 240 which has exposed a fiber optic line. A resident suggested contacting the NYS Public Service Commission regarding the exposed utility lines, Supervisor DePasquale replied the Town isn't currently having utility problems.

Supervisor DePasquale said the Town may have to declare a state of emergency to correct the Route 240 erosion if conditions worsen. A Town Board member suggested notifying ECRT to potential trail erosion.

HIGHWAY AND PARKS REPORT

Superintendent Wohlhueter gave the following report:

April Highway Report

- The LEWPA grant we applied for regarding the slide on Crump Road has been approved with a monetary amount to be determined down the line.
- Servicing of Spring fleet continues
- Starting to do tree clean up from the winter blow downs
- We have begun to start unharnessing plow trucks, thoroughly steam clean, do necessary repairs and store them for the season
- We have taken delivery of the new Volvo roller ordered
- Last week Tuesday we received quite a shot of rain. 2-3 inches fell in a short time. We sustained heavy shoulder damage on Blanchard between 240 and Bleistein along with some minor pipe damage on Darien Road. I estimate 2-3 weeks' worth of work to fix the damage as the weather allows us to do so with no further setbacks and working at other roadwork.
- We've submitted our 2nd and final payment from the county for plowing contracted roads for this past winter

Parks Report

- Spring maintenance and cleanup continues in the park and on the frisbee golf course.
- Soccer fields are ready to stripe and be fully operational, however; the park is too wet. We advise holding Soccer practice anywhere but the park until things dry up.
- Scott is concerned about a large dead ash tree in the park on the hill where the rec kids enjoy lunch and he feels it should be removed.
- Superintendent Wohlhueter will be meeting with Scott shortly to address culvert washout issues in the frisbee golf course that have been affected by the repeated heavy rains we have sustained to try to correct the issues

Highway Superintendent Wohlhueter thanked Chairman Kammer for his help with upgrading the Highway building's internet. Supervisor DePasquale asked whether the Board had any thoughts about Scott Kirby's proposed Park rules, Councilwoman Zurbrick suggested a workshop.

INSURANCE REPORT

Councilman Robinson stated large increases in employee health care are expected. A workshop to discuss healthcare was tentatively scheduled for May 7, 2026, at 6:00 pm pending the availability of benefits coordinator April Hartloff.

LIBRARY REPORT

Councilman Hrycik reported that the West Falls Colden Library is holding a Birds Unlimited class on Tuesday, April 14th call to register. The Boston Free Library has its usual classes. Both locations offer preschool story times.

PERSONNEL

Councilwoman Zurbrick received a letter from Megan Jarecki resigning from her position as an alternate member of the Board of Assessment Review (BAR).

Resignation of Megan Jarecki from the BAR

MOTION made by Supervisor DePasquale, seconded by Councilwoman Zurbrick and unanimously approved to accept Megan Jarecki's resignation as an alternate BAR member.

PLANNING REPORT

Planning Chairman Kammer said the Planning Board will continue working on the Kummer Park project, Mill St bridge removal design, Battery Energy Storage System regulations, and poultry zoning regulations. Supervisor DePasquale asked for a motion to hold a public hearing for a local law on Short Term Rentals.

MOTION made by Councilman Hrycik, seconded by Councilman Pietraszek and unanimously approved to hold a Short-Term Rental public hearing at 7:00 pm on May 14, 2026.

WATER DISTRICT REPORT

Councilman Pietraszek read the following report:

- **Usage update:** At present time consumption billed by ECWA 1672000 gal. cost \$ 7306.64 + \$434.87 = \$ 7741.51 expenditure for March water usage.
 - ECWA water cost \$4.8 / K
 - Water usage – 38 G/M/30D
- Replaced account A2010 with (3rd) new NexT10 meter and register after complaints of meters not working right, results pending data collection.
- Turned off hydrant #8 (last in BC Rd lay), waiting weather
- hydrant on 240 near Gutekunst fixed and billed insurance company no payment yet. Follow up with calls to Progressive Insurance, offered \$3467.41 or 10% less for scrap, suggested 5% scarp and accept \$3633.66, Email back 04/09/26 that the amt was accepted and check being sent

- Hydrant vs car accident on 3/13/26 is billed to NYSM, offer received, will talk with Councilman Pietraszek
- Frozen meter billing on A0505 account still not paid after 3 notices, moved to water demand billing which adds it to water bill for payment and tracking

Water Billing:

- Open Accounts as of 02/02/2026 billing:

Water Charge (223 units)	\$ 22,158.31 (2,602,892 gal)
Infras + Capital Surchg	\$ 4,876.70
Arrears	\$ 3,832.01
Total Billed Sent	\$ 30,867.02
Current Receipts to date	\$ 23,209.71
Arrears to date	\$ 7,657.31

RECREATION REPORT

Recreation Director Palmateer reported the following:

Soccer registration has closed. We had the coaches meeting on April 6th. All the teams have been picked and shirts have been ordered. A Dreamcatcher class will be held on Friday, April 17, 2026 from 7-9pm. We would like to approve the following as soccer referees at minimum wage:

Eric Szafranski
Hannah Krywalski

Teagan Krywalski
Michael Holy

MOTION made by Councilwoman Zurbrick, seconded by Supervisor DePasquale and unanimously approved to hire the soccer referees at minimum wage.

RESOLUTIONS

Supervisor DePasquale read the following resolution to accept a storage container donation from Walter Kammer:

***Resolution #2026-3
Acceptance of Walter A. Kammer's Storage Container Donation for
Secure Storage in the Town of Colden's Kummer Park***

WHEREAS, the Town of Colden, is doing substantial upgrades to the Town's Kummer Park, and the implementation of the upgrades, certain new items have been procured which will need secure seasonal storage on the Walter Kummer Park grounds and facilities; and

WHEREAS, Walter A. Kammer has expressed a desire to donate a 40 Foot Single-Trip Storage Container, Serial Number CIMU 088949245G3, to the Town of Colden for use at Kummer Park to provide secure, safe, and locked storage on the Park grounds; and

WHEREAS, the Town Board has determined that this Storage Container will serve a public purpose by enhancing the protection and storage of recreational facilities available to our Town citizens; and

WHEREAS, on April 9th, 2026, the Town of Colden adopts this resolution to establish the acceptance of this non-cash material donation as described above; and

THEREFORE, BE IT RESOLVED, that the Town Board accepts, authorizes, and approves this donation; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to issue a written acknowledgment of this gift to the donor for tax substantiation purposes.

Duly adopted this 9th day of April 2026, by the following vote:

On the vote:	Councilman Hrycik	Yes
	Councilman Robinson	Yes
	Councilwoman Zurbrick	Yes
	Councilman Pietraszek	Yes
	Supervisor DePasquale	Yes

BUDGET TRANSFERS

Supervisor DePasquale read the following 2025 budget transfers:

General Fund:

\$26.29 FROM: A1110.41 Justice Stenographer TO: A1110.43 Justice Prosecutor
\$134.43 FROM: A7310.4 Youth Contractual TO: A7110.4 Parks Contractual

Highway Fund:

\$8,633.29 FROM: DA5130.4 Mach & Equip Contractual TO: DA5142.4 Snow removal Contractual

Water Fund:

\$464.63 FROM: SW8350.4 Contr Sev TO: SW8340.4 Trans & Dist Contractual

MOTION made by Councilman Pietraszek, seconded by Councilman Robinson, and unanimously approved to accept the 2025 budget transfers to balance the 2025 Town Budget.

TOWN CLERK REPORT

Clerk Jusiak reported that the NYS Ag & Markets legislation now requires a spot for optional donations to the SPCA Humane Society be listed on each dog registration form. The money donated by residents will be sent annually to the SPCA.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that the Town’s fireworks have been moved to July 3, 2026, and he will begin organizing the Memorial Day Parade.

PAY BILLS

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

General Fund	2026 Voucher #93 - 139	\$520,441.27
Highway Fund	2026 Voucher #26 - 38	\$57,645.50
Water District	2026 Voucher #11 - 12	\$7,766.51
Lighting District	2026 Voucher #3 – 4	\$3,788.99
Refuse District	2026 Voucher #3	\$36,414.55

PRIVILEGE OF THE FLOOR

None

ADJOURN

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

MEETING ADJOURNED AT 8:13 PM

Respectfully submitted,

Deborah Jusiak
Town Clerk