

REGULAR TOWN BOARD MEETING CALLED TO ORDER AT 7:02 pm

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE
IN MEMORY OF CARL METZLER

FOLLOWED BY THE PLEDGE OF ALLEGIANCE

PRESENT

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

ALSO PRESENT

ECSO Deputy Miller
Highway Superintendent Lee Wohlhueter
CEO John Kotlarsz
CEO Tom Dziulko
Planning Board Chairman Walt Kammer
Town Clerk Deborah Jusiak
Springville Journal Editor Max Borsuk
Asst Rec Director Carrie DePasquale
DCO Michelle Zak
Approximately 25 residents

MINUTES TO BE APPROVED

MOTION made by Councilman Hrycik, seconded by Councilman Robinson, and unanimously approved the minutes from two workshops held on April 16, 2026, and May 7, 2026, and the Regular Town Board Meeting held on April 9, 2026.

SAFETY

ECSO Deputy Miller gave the Erie County Sheriff's responses in Colden in April:

- 19 ECSO Calls for service
- 0 Vehicle Crashes- 0
- 42 Premises Checks
- 17 Community Policing contacts including school contacts
- 0 Arrests (warrant, crime in progress, traffic, criminal summons)
- 15 Traffic
- 3 Complaints handled by Deputy Miller

May 29, 2026, is bike-to-school day at Colden Elementary. The section of State Rd between the Colden Fire Hall and Heath Rd will be closed around 8:00 am for the duration of the ride, about

30 minutes. Miller conducted multiple traffic details on Heath Rd and State Rd. The ECSO will be conducting bike patrols along the rail trail and regular traffic details will continue.

PUBLIC HEARING

The Town Board held a public hearing to discuss a proposed Local Law on Short-Term Rentals.

Proposed Local Law entitled Regulation of Short-Term Rentals (STR)

Supervisor DePasquale opened a public hearing at 7:10pm on a proposed local law on STR. He explained that NYS and Erie County issue tax ID numbers to STR owners, Home Rule Law gives towns the ability to create a registry and set town-specific conditions but not to overrule county or state legislation. Under the proposed code, applicants would apply for a Town permit. STR owners would provide law enforcement, code enforcement and local emergency personnel with the contact information of a local representative able to respond within 60 minutes. All complaints would be submitted to the Town within 24 hours. Some residents voiced opinions:

Robert Pyne –against the law, concerns about STR guests being disrespectful to neighbors.

Joanne Williams – asked questions but has no problem with the code.

Mike Zak - spoke in favor of the law, saying the permit process helps to protect the Town.

Rob Reichle- owns a short-term rental in Colden. He has no problem with the law and said the restrictions from Airbnb and Vrbo are greater than those in the Town’s proposed law.

Lara Hrycik – asked questions about the necessity of a Town permit

Marilynn Calhoun-Allen - had no problem with STRs.

Mr. and Mrs. Kuznicki - wanted a permit procedure similar to kennel permits and neighbor notification.

Supervisor DePasquale said neighbors will receive the contact phone number of a responsible person. He stated that a Town permit is necessary to protect STR owners, their guests and the Town by ensuring the rentals meet health and safety standards and there is a person responsible for responding to complaints or problems. PB Chairman Kammer stated that not all STR owners use platforms like Airbnb or VRBO so do not meet stringent restrictions; a Town permit would ensure that health and safety conditions are met.

The public hearing was closed at 7:55 pm.

OLD BUSINESS

Supervisor DePasquale stated that the Town is looking at compliance with the new NYS Ag and Markets kennel regulations that will be enforced by the end of the year.

NEW BUSINESS

None

BUILDINGS

Councilman Robinson said a roof ice issue at the Senior Center has been addressed.

CODE ENFORCEMENT REPORT

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

13 Building Permits Issued	1 First Notice of Violation
1 New Dwelling Permit Issued	2 Fire Inspections
10 Certificates of Compliance Issued	

The CEOs gave an update on the new home being constructed by A Soldier’s Journey Home. The house should be completed by May 30th.

COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported the Colden Seniors have four trips planned; a Penn Yan Windmill farm & craft market on July 11, 2026, “True Crime” in Buffalo on August 11, 2026, a mystery trip on October 21, 2026, and an upcoming winery trip. All information about the Seniors trips will be posted on the Town’s website, at Town Hall and on the Colden Senior’s Facebook page. The Memorial Day parade begins at 8:15 am on May 25th. Zurbrick is meeting with WNY FeedMore about having a market truck in Colden on the 2nd and 4th Fridays of the month. She is organizing a Veteran’s banner project, watch the Town website for more information. Robinson will be speaking to the Colden Seniors about molts forms at their June 9th meeting. Zurbrick also asked for the following information to be added to the minutes:

FeedMore Mobile Food Truck

The FeedMore Food Truck giveaway will be held on the 4th Thursday each month at the Colden Fire Hall.

Bread of Life Outreach 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 no activity in April.

ENVIRONMENTAL REPORT

Councilman Pietraszek reported that the Environmental Board did not meet in April and scheduled the Special Use Permit (SUP) inspections for June 20, 2026, beginning at 9:00am.

HIGHWAY AND PARKS REPORT

Superintendent Wohlhueter gave the following Highway and Parks reports:

May Highway Report

- Street Sweeping has wrapped up.
- We are addressing flood damage and shoulder washouts
- Received payment from County, sum of \$23,179.02 per contract for plowing county roads.
- Hiring of Ben Einarson back as summer seasonal help at hourly rate of \$19.51 hr. with start date of May 18th
- Hiring of Justin Smith as MEO to fill vacancy from last fall at hourly rate of \$33.90 hr. with start date of June 1st. (14 years' experience doing highway work/plowing)

MOTION made by Councilwoman Zurbrick, seconded by Councilman Robinson and unanimously approved to appoint Ben Einarson and Justin Smith.

Parks Report

- Bathrooms have been opened for the season
- Playground has been removed and site work for new playground has begun
- Soccer fields are striped and ready however the fields are too wet therefore have remained closed. Conditions are being monitored daily.
- Kirby had a meeting regarding the map of the main park and kiosk sign
- Rules for Park

DePasquale thanked Cahill Construction for their donation of a bulldozer and operator for work at the Park playground.

INSURANCE REPORT

Councilman Robinson reported the Town Board held a workshop to discuss employee health insurance plans.

LIBRARY REPORT

Councilman Hrycik reported the following:

West Falls-Colden Library is hosting a dot painting class

The Boston Free Library is hosting a family history research class, Spring Bird Crafts class, a Kids Yoga and Lego club.

Both sites are holding their normal children's programs. See their websites for details.

PERSONNEL REPORT

No report

PLANNING REPORT

Councilman Hrycik reported on the Planning Board’s continuing work on regulations of battery energy storage systems (BESS), poultry and a study of the Mill St bridge project.

WATER

Councilman Pietraszek gave the following water report for April:

- **Usage update:** At present time consumption billed by ECWA 1530000 gal. cost \$ 6686.10 + \$434.87 = \$ 7120.97 expenditure for March water usage.
 - ECWA water cost \$4.36 / K
 - Water usage – 34.27 G/M/31D
- Hydrant #8 (last in BC Rd lay), waiting weather for replacing
- Hydrant on 240 near Gutekunst fixing reimbursed \$3633.66
- Hydrant vs car accident on 3/13/26, NYSM fixing reimbursed \$3700
- Neptune 360 upgrade done, tablet functioning but slow
- Continue working on nonreading meters & registers
- Bulk water was upgraded to 2in delivery and newer housing. Invites to go out to water and pool water companies
- AWQR being prepared for distribution

Water Billing:

- Open Accounts as of 05/01/2026 billing:

Water Charge (223 units)	\$22,375.58	(2,640,977 gal)
Infras + Capital Surchg	\$ 4,905.60	
Arrears	\$ 7,756.09	
Total Billed Sent	\$35,037.27	
Current Receipts to date	\$ 5,593.51	
Arrears to date	\$30,246.50	

RECREATION REPORT

Councilwoman Zurbrick read the following report:

A new Yoga session is starting on May 14. Soccer season is scheduled to begin May 12, weather permitting. The summer program newsletter has been completed. Copies will go out to Colden Elementary school students, mailed out to residents, and posted on the Recreation Facebook page and town website.

We would like to approve Lauren Smith for concession stand at minimum wage, retroactive to May 12 if necessary.

MOTION made by Councilwoman Zurbrick, seconded by Supervisor DePasquale and unanimously approved to appoint Lauren Smith at minimum wage.

RESOLUTIONS

None

BUDGET TRANSFER

None

TOWN CLERK REPORT

Town Clerk Jusiak reported primary election early voting takes place from June 13th – June 21st and general election early voting will be October 24th – November 1st.

SUPERVISOR’S REPORT

Supervisor DePasquale reported a newsletter will be going out with the recreations and concert information. He asked for volunteers to help with the Kummer Park improvements.

PAY BILLS

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

General Fund	2026 Voucher #152 - 184	\$83,852.50
Highway Fund	2026 Voucher #39 - 56	\$34,111.44
Water District	2026 Voucher #13 - 20	\$9,571.40
Lighting District	2026 Voucher #5 - 6	\$2,164.06
Refuse District	2026 Voucher #4	\$36,396.60

PRIVILEGE OF THE FLOOR

A resident voiced her concerns about BESS. Supervisor DePasquale clarified that the Town has established a 12-month BESS moratorium to develop the regulations to protect residents, while banning them could be overruled in court. The Town would not receive any funds from BESS other than standard permit fees.

The resident was concerned about possible poultry bans or restrictions. DePasquale clarified that currently Town Code allows poultry in agriculturally zoned areas only. Any proposed poultry regulations could allow more chickens. Another resident stated that chickens should be allowed, but other poultry should be regulated. Planning Board Chairman Kammer said the Planning Board is reviewing poultry regulation at the request of the Town Board, no draft poultry regulations have been proposed yet.

ADJOURN

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

MEETING ADJOURNED AT 8:44 PM

Respectfully submitted,

Deborah Jusiak
Town Clerk