

TB Mtg April 10, 2014
TOWN BOARD MEETING
COLDEN TOWN HALL – April 10, 2014

MEETING CALLED TO ORDER AT 7:00 PM

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

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

ALSO PRESENT:
Town Justice William Montgomery
Highway Superintendent Paul Clarkson
Bldg. Insp/Code Enf. Officer John Kotlarsz
Town Clerk Christina Kerlin
Approximately 18 residents

MINUTES

MOTION made by Councilman Pietraszek, seconded by Councilman Hrycik and unanimously approved to accept the minutes of the March 6, 2014 Town Board Workshop and March 13, 2014 Town Board Meeting as presented.

Request to be on the Town Board Agenda

Paul Cohn

Paul Cohn on Center Street asked the Town Board for a waiver on the SUP for a Wind Turbine to be built on his property. Mr. Cohn has come before the Planning Board and feels as if he is getting nowhere with this project and has yet to go before the Environmental Board. Supervisor DePasquale stated that he would contact the chairman of the Planning Board to see why they have not furnished a recommendation to the Town Board.

Debbie Baker

Debbie Baker stated to the Town Board that the fence at the Lumber Yard next door to her has fallen down on her property again. CEO John Kotlarsz stated that he has sent a letter to Mr. Bach to start improvements to the property once the frost is out of the ground. Supervisor DePasquale will check with the court to see what is going on with the case against Mr. Bach as well as contacting him on the matter.

BUILDING COMMITTEE REPORT

Councilman Arcara reported that estimates for the Senior Center Front doors are being obtained and the second door will need to be addressed as well. Carpet estimates are being gathered.

INSURANCE REPORT

No Report

HIGHWAY & PARKS REPORT

Highway Superintendent Clarkson reported that cleanup will start up on the roads and sidewalks once the weather breaks and the shared equipment is available.

- Added “CHIPS” money for the town is \$5,820.
- A reminder to clean up after their dogs at the Park.
- Postpone soccer until the fields have dried up.

Highway Superintendent Paul Clarkson stated that the drain has been put in and the stone put down at the Highway Storage Building and is ready for the concrete floor.

Concrete Bids for the floor at the Highway Storage Building

Bids were received from:	Engasser Construction Corporation	\$10,000
	Balducci Concrete Construction	\$10,825
	Concrete Cowboy DBA	\$11,750

MOTION made by Supervisor DePasquale and seconded by Councilman Pietraszek and unanimously approved Engasser Construction Corporation at \$10,000 to do the concrete floor at the Highway Storage Building.

PLANNING COMMITTEE REPORT

Councilman Hrycik reported that at the Planning Board meeting there was discussion on:

- Special Use Permits for: Paul Cohn, Center Street – Wind Turbines
Charles McMicken, Crump Road – Auto Sales
- Review Town Code and Fees
- Hi-Intensity Signs

ENVIRONMENTAL COMMITTEE REPORT

Councilman Pietraszek reported that at the Environmental Board there was discussion on:

- Special Use Permits for: Paul Cohn, Center Street – Wind Turbine
Charles McMicken, Crump Road – Auto Sales

-A meeting is being scheduled with Erie County Soil and Water to address the Creekbed flooding.

-The Environmental Board submitted a letter to the Town Board Stating Recommendations to the Colden Town Board amending language to the Town's Zoning Ordinance banning High Volume Hydraulic Fracturing within the Township of Colden the letter is on file in the Town Clerk's office.

COMMUNITY DEVELOPMENT REPORT

No Report

LIBRARY REPORT

Councilman Hrycik reported the Library received a donation of a Digital Magnifier for the public to use.

- On April 26th a presentation on Western New York Native Plants will take place at 10am till noon.
- The next Library Board meeting will take place on April 16th.

SOLID WASTE & NEST REPORT

No Report

YOUTH & ADULT RECREATION

Recreation Director Kip Palmateer reported that he would like to approve the following employees for the recreation department Kalie Brautlacht, Sara Byrne, Haley DePasquale, Kalee Schreiber, Michael Palmateer and Elizabeth Vincent at \$8.00 an hour.

-Would like to approve the following employees as referees at a rate of \$12 for Midget game and \$14 for Youth game: Michael Palmateer, David Reese, Jessica Wojkowiak and Jacob Perkins.

-Soccer registration is closed. Coaches meeting took place and teams were picked. Plan to start games on May 5th weather permitting.

-Would like to request a summer newsletter to go out to the public by early May.

-Request that \$12 for Midget game and \$14 for Youth game: Michael Palmateer, David Reese, Jessica Wojkowiak and Jacob Perkins.

Appoint Recreation Employees

MOTION made by Councilman Zurbrick and seconded by Councilman Arcara to approve the following recreation employees Kalie Brautlacht, Sara Byrne, Haley DePasquale, Kalee Schreiber, Michael Palmateer and Elizabeth Vincent at \$8.00 an hour and Michael Palmateer, David Reese, Jessica Wojkowiak and Jacob Perkins for referees at a rate of \$12 for

Midget games and \$14 for Youth games and recreation employees to be paid \$8.00 an hour for training.

On the Vote: Councilman Jesse Hrycik- yes
Councilman David Arcara - yes
Councilman Patricia Zurbrick - yes
Councilman Gerald Pietraszek - yes
Supervisor James DePasquale – Abstained (Daughter is a Recreation employee)

STREET LIGHTING

Councilman Zurbrick reported one Historic Light out in the district down by the Post Office.

PERSONNEL REPORT

Councilman Zurbrick reported that Employee Personnel Handbooks have been passed out to full time and part time employees for review with a signed page to be submitted to the Supervisor's office after review of the personnel policy.

Appoint Cleaner for the Town Hall and Senior Center

MOTION made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously approved Elizabeth Casey the cleaner for the Town Hall and Senior Center at a rate of \$11.25 an hour up to 9 hours a week and Russel Rankin the substitute cleaner at a rate of \$11.25 an hour. The hours for the first month could exceed the 9 hours a week to make up for the cleaning that was not performed during the vacancy of the cleaning position.

Mandatory Training

Training for Workplace Violence Prevention Policy, Blood Borne Pathogens and Harassment Policy were completed by 13 employees in East Aurora on March 17th the remaining employees and volunteer board members will take place on April 29th at 7pm at the town Hall

DOG CONTROL REPORT

Councilman Arcara reported that the ongoing situation on Crump Road with dogs running at large has been resolved.

-Free Rabies Clinics are scheduled for: Wednesday, May 21, 2014 4:00 PM – 7:00 PM
American Legion Post #1041
533 Amherst Street
Buffalo, NY 14207

Wednesday, May 28, 2014 4:00 PM – 7:00 PM
Erie Community College (South Campus)
Orchard Park, NY 14127

Tuesday, September 16, 2014 4:00 PM – 7:00 PM
Springville Fire Company
405W. Main St
Springville, NY 14141

Dog Control Seminar - Webster NY

MOTION made by Councilman Arcara and seconded by Councilman Zurbrick and unanimously approved the DCO and Asst. DCO to attend the Animal Control Seminar on April 29 – 30 in Webster NY.

CODE ENFORCEMENT OFFICER REPORT

John Kotlarsz CEO reported: 2 Building Permits
2 Certificate of Occupancy
5 Certificate of Compliance
2 Court Appearances

WATER COMMITTEE REPORT

Councilman Pietraszek reported that- abstracts have been submitted.
-Meter reader has been replaced again.
-Chlorine residuals have been in the normal ranges.
-Annual Water Quality report will be coming out in May and placed in the Springville Journal.
-Greg Adams is officially the Water Worker and Water Clerk Ronald Smith's office hours will be 9am – 2:30pm.

DIRECTOR OF VETERAN AFFAIRS

Ken Heiler stated that the VFW Post will be dissolving and the 20 members will combine with either Boston or Hamburg VFW Posts.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS

Supervisor Depasquale read the following resolution.

A RESOLUTION SUBMITTED

BY

JAMES P. DEPASQUALE
SUPERVISOR OF THE
TOWN OF COLDEN

New York State Land Bank Act

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of Colden, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that Town of Colden hereby officially requests that BENLIC acquire one of more properties from the list of prioritized properties below (addresses and Section Block Lot (SBL) numbers included):

8820 State Road
Colden, NY

243.03-2-6

; and be it further

RESOLVED, that the Town of Colden has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Resuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the Town of Colden agrees to pay the costs associated with foreclosure of each property selected by BENLIC from the above list of properties; and be it further

RESOLVED, that the Town of Colden agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that pursuant to section 1610 of the New York Not-for-Profit Corporation Law, should BENLIC acquire one or more properties from the above list, the Town of Colden hereby agrees to remit to BENLIC fifty percent of the real property taxes collected for a period of five years on the specific parcel(s) of real property identified below:

8820 State Road	243.03-2-6
Colden, NY	

; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Chairperson of the Buffalo Erie Niagara Land Improvement Corporations; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

Duly adopted this 10th day of April, 2014 by the following vote.

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

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin asked when the DCO will start the Dog Census for the Town. Councilman Arcara stated that the Dog Census will start in May after the DCO and Asst. DCO return from their Seminar.

SUPERVISOR REPORT

Supervisor DePasquale reported that the Sherriff's department has stated that there have been cars and houses that have broken into around Colden so lock your doors and if you see anything suspicious call the Sheriffs.

- Readdressed the group homes in Colden with Sheriff Klimowicz who reassured the Supervisor that the group homes and Colden do not house sex offenders a website link will be on the new website on protecting your family from offenders.

-Town Audit with Drescher & Malecki has started once complete the information will be available and placed on the website.

PAY BILLS

MOTION made by Councilman Zurbrick and, seconded by Councilman Arcara to approve the following bills for payment.

On the Vote: Councilman Jesse Hrycik - abstained (Did not look at the bills yet)
Councilman David Arcara – yes
Councilman Patricia Zurbrick – yes
Councilman Gerald Pietraszek – yes
Supervisor James DePasquale – yes

General Fund Warrant Voucher#2014-86 to #2014-125	\$381,065.38
Highway Fund Abstract Voucher #2014-36 to #2014-54	\$ 15,599.74
Water District Voucher #2014-17 to #2014-24	\$ 6,444.86
Lighting District Voucher #2014-04 to #2014-06	\$ 3,589.18
Refuse District Voucher #2014-04	\$ 16,614.36

PRIVILEGE OF THE FLOOR

Anna Lombardi presented an article that was in a church bulletin from the Pope on High Volume Hydro Fracking which she presented to the Town Board.

Community Liaison Karl Simmeth from Assemblyman David Depeitro's office was in attendance at tonight's meeting to observe and if there are any concerns or questions he would report them to the Assemblyman office.

Jeanette Geckler inquired if the Town is working with the Town of Wales on the Rural Water Association that was brought up last year.

Ron Fraser asked about the status of the mailing to be sent out to Town residents on High Volume Hydro Fracking.

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ADJOURN

MOTION made by Supervisor DePasquale and seconded by Councilman Pietraszek and unanimously approved to adjourn the meeting at 8:30 pm.

Respectfully submitted,

Christina M. Kerlin
Town Clerk