

2017 Org. Mtg. and TB Mtg.  
 2017 ORGANIZATIONAL MEETING AND  
 REGULAR TOWN BOARD MEETING  
 COLDEN TOWN HALL – January 5, 2017

MEETING CALLED TO ORDER AT 7:01PM  
 SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
 FOR LEONARD RAK FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT: Councilman Jesse Hrycik arrived at 7:12pm  
 Councilman David Arcara  
 Councilman Patricia Zurbrick  
 Councilman Gerald Pietraszek  
 Supervisor James DePasquale

ALSO

PRESENT: Highway Superintendent Paul Clarkson  
 Bldg. Insp/Code Enf. Officer John Kotlarsz  
 Town Clerk Christina Kerlin  
 Approximately 9 Residents

2017 ORGANIZATIONAL MEETING

Supervisor DePasquale read the following:

- The elected Town Officials are salaried for the year 2017 as per budget as follows:

Supervisor James DePasquale		\$28,263.00
Budget – Officer		<u>2,297.00</u>
		\$30,560.00
Council Members (4)	Gerald Pietraszek	\$5,359.00
	David Arcara	\$5,359.00
	Patricia Zurbrick	\$5,359.00
	Jesse Hrycik	<u>\$5,359.00</u>
		\$21,436.00
Town Clerk	Christina Kerlin	\$39,532.00
	Highway Clerk Typist	\$2,722.00
	Vital Statistics	<u>\$537.00</u>
		\$42,791.00
Highway Superintendent	Paul Clarkson	\$61,904.00

Town Justice (2)	Michael Schneider Sr.	\$11,721.00
	Martin McMahon	<u>\$11,721.00</u>
		\$23,442.00

2. Highway employee's salaries for 2017 as per contract are as follows:

MEO	\$25.48 hr	Motor Equipment Operators
MEO	\$38.22 hr	Overtime
MEO	\$22.00 hr for 80 hours,	1 employee
MEO	\$33.00 hr for overtime,	1 employee

3. RESOLVED THAT Ronald Bennett be appointed contractually as Attorney for the Town in accordance with Section 20 (2) (b) to serve as needed throughout the year of 2017 at a flat fee of \$9000.00 general municipal legal services and \$195.00 per hour for court municipal litigation. One (1) year term ending December 31, 2017.
4. RESOLVED THAT Deborah Barone be appointed as Town Prosecutor at a rate of \$120.00 per hour. Michael Barone and Brian Attea be appointed to Deputy Town Prosecutor at a rate of \$120.00 per hour.
5. RESOLVED THAT Paul Sobkowiak & Steven Lehman be appointed Constables to the Justices for the year 2017. Frank Brady to be appointed as Assistant Constable when regular constables are not available. All constables to serve with compensation of \$18.48 an hour to be paid bi-weekly.
6. RESOLVED THAT Mark Adamchick be the Certified Public Accountant for the Town of Colden for the year 2017 a flat fee of \$6500.00 per year for AUD and Budget preparations and \$85.00 per hour for auditing books quarterly..
7. RESOLVED THAT Dawn Martin be retained as the Town Assessor at the rate of \$18,000.00 per year.
8. RESOLVED THAT Supervisor DePasquale appoints Tammy Nuttle as Secretary/Bookkeeper to the Supervisor at a salary of \$28,963.00

MOTION made by Councilman Zurbrick and seconded by Councilman to approve page 1 of the 2017 Organizational appointments.

On the vote: Councilman Jesse Hrycik - abstained  
Councilman David Arcara  
Councilman Patricia Zurbrick  
Councilman Gerald Pietraszek  
Supervisor James DePasquale

9. RESOLVED THAT Town Clerk Kerlin appoints Deborah Jusiak as Deputy Town Clerk at a salary of \$28,963.00

10. RESOLVED THAT: Kathy Horschel be appointed as Dog Control/Dog Census Officer with a salary of \$4,852.00 yearly to be paid bi-weekly. The DCO shall assume responsibility for preparing a monthly report to the Town Board on duties performed with full details according to town code. DCO shall submit and maintain an accurate town wide dog census through the year 2017.

11. RESOLVED THAT: Bernard Horschel be appointed as assistant to the DCO with a salary of \$1,639.00 per year. DCO shall submit and maintain an accurate town wide dog census through the year 2017.

RESOLVED THAT the DCO be authorized to accept and obtain all information and certificates pertaining to the licensing of a canine in order to release a seized canine to the owner outside of regular business hours. All information and certificates collected will be turned over to the Town Clerk on the next regular business day for processing.

12. RESOLVED THAT John Kotlarsz be appointed as Code Enforcement Officer in charge of Zoning & Enforcement with a salary of \$12,381.00 yearly to be paid bi-weekly.

RESOLVED THAT the assistant Code Enforcement Officer position regarding zoning, enforcement of codes will be provided through the shared service agreement with the Village of Springville

13. RESOLVED THAT Bernard Horschel be appointed to Fire Inspector at the rate of \$50.00 per inspection.

14. RESOLVED THAT Greg Adams be appointed Water Operator at a rate of \$20.00 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

RESOLVED THAT Ron Smith be appointed as Water District Clerk at an hourly rate of \$14.20 per hour to be paid bi-weekly.

RESOLVED THAT Ron Smith be appointed as Assistant Water Worker at an hourly rate of \$12.30 per hour to be paid bi-weekly

15. RESOLVED THAT \_\_\_\_\_ be appointed Town Maintenance Worker at a rate of \$25.25 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

16. RESOLVED THAT Tara Seifried be appointed as Court Clerk with a wage of \$14.20 per hour paid bi-weekly.

RESOLVED THAT Marie Falzone be appointed as Court Clerk with a wage of \$14.20 per hour paid bi-weekly.

RESOLVED THAT Paula Bielat be appointed as Court Stenographer with a wage of \$100.00 for three hours worked to be paid contractually.

17. RESOLVED THAT Kip Palmateer be appointed as Recreation Supervisor at a yearly salary of \$11,177.00 to be paid bi-weekly with no benefits.

RESOLVED THAT Tina Mary be appointed as Recreation Assistant Supervisor at a yearly salary of \$5,588.00 to be paid bi-weekly with no benefits.

RESOLVED THAT Jamie Ruhland be appointed as Recreation Assistant Supervisor at a yearly salary of \$5,065.00 to be paid bi-weekly with no benefits.

18. RESOLVED THAT Tere Feidt be hired as Parks Department employee at a rate of \$17.79 per hour.

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek to approve page 2 of the 2017 Organizational appointments.

On the vote: Councilman Jesse Hrycik - abstained  
Councilman David Arcara  
Councilman Patricia Zurbrick  
Councilman Gerald Pietraszek  
Supervisor James DePasquale

19. RESOLVED THAT Frank Brady be appointed as part-time Parks Department employee at a rate of \$12.78 per hour for snow removal from sidewalks.

20. RESOLVED THAT Russel Rankin be hired as part-time Cleaner for the Senior Center and the Town Hall at a rate of \$12.67 per hour.

21. RESOLVED THAT Scott Wohlhueter be appointed as Disaster Coordinator and Paul Clarkson be appointed as Assistant Disaster Coordinator.

22. WAGES & SALARIES

RESOLVED THAT HOURLY EMPLOYEES will be paid the following salaries, commencing January 1, 2017 to be paid bi-weekly unless otherwise noted:

Skilled Laborers:	\$12.00 per hour
Recreation Workers:	\$9.70 per hour
Tennis Instructor:	\$11.19 per hour
Umpires & Referees:	\$9.70 per hour for Soccer and Baseball \$9.70 Hockey for Floor Hockey
Board of Assessment Review	\$9.00 per hr. or \$50.00 a day for school/review (whichever greater)

23. RESOLVED THAT First Niagara Risk Management, Inc. will be the insurance agent for the Town of Colden for the year of 2017.

RESOLVED THAT this Board approve as the form and amount the Employee's Blanket Bond—which includes the offices of Supervisor & his Secretary, Highway Superintendent, Town Justices, Court Clerk, Town Clerk—Tax Collector, and her Deputy, Peace Officer, Councilmen, Youth Supervisors, Code Enforcement Officers, Dog Control Officer & Emergency Manager and Water Clerk.

RESOLVED THAT the regular monthly meeting of the Colden Town Board shall be held on the second Thursday of each month at 7:00 PM for the regular time and date of the Town Board meeting unless otherwise resolved to change and that the October Board Meeting be held on the (Meetings 2017—October 5<sup>th</sup> and November 2<sup>nd</sup>)

RESOLVED THAT any business to be brought to the attention of the Colden Town Board by any elected or appointed official or by the public be submitted for the agenda 72 hours prior to a meeting.

RESOLVED THAT The Springville Journal be the official newspaper of the Town of Colden for the year 2017.

RESOLVED THAT THE TOWN OF COLDEN BOARD receive a copy of the unapproved Board Minutes (from all Town Boards) for public review within ten business days from the date of such meetings. (Open Meeting Law 106) All Boards to receive a copy of the agenda 48 hours prior to the meeting.

RESOLVED THAT: the Town Board will hold a work session the second Thursday of each month at 6:00 PM at the Town Hall prior to the monthly meeting. If a work session is not necessary and the Town Board does not meet it will be posted on the front door of the Town Hall.

RESOLVED THAT Christina Kerlin be appointed as the Record Access Officer to accept and receive all FOIL requests

RESOLVED THAT the Town of Colden Tax Assessor be authorized to re-levy any unpaid water bills to be submitted prior to November 20<sup>th</sup> of each year

RESOLVED THAT warrants and abstract checks to be paid within terms of invoice or seven days of authorization.

Be it RESOLVED THAT Bank of Holland be designated as the official depository for all Town of Colden funds.

RESOLVED THAT Supervisor DePasquale is authorized to endorse checks, withdraw or transfer funds with the Bank of Holland and Patricia Zurbrick is authorized to endorse checks in the event the Supervisor is absent.

Motion made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously approved Page 3 of the 2017 Organizational appointments.

Be it RESOLVED THAT Tammy Nuttle is hereby authorized by the Supervisor to obtain information and direct telephone transfers for all Town of Colden Checking and Savings accounts.

Be it RESOLVED THAT: the Investment Policy for the Town of Colden be adopted.

Be it RESOLVED THAT: the Procurement Policy for the Town of Colden be adopted.

Be it RESOLVED THAT: the Supervisor be authorized to invest any surplus monies and tax monies as prescribed by law, wherever most advantageous rates are available.

Be it RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board authorizes payment of claims presented to the Town Board and such voucher shall be accompanied by a statement by the officer who originates the claim that he approves the claim and the services were actually rendered or supplied and the equipment actually delivered in lieu of the verification of the creditor.

Be it RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board may permit the Supervisor to pay claims for public utilities, insurance, debt service, postage, freight and express charges, before they are audited or reviewed by the Town Board.

Be it RESOLVED THAT the Highway Superintendent be requested to present with all vouchers, signed invoices showing who received what material and on what date.

Be it RESOLVED THAT All officers be permitted to attend meetings of a legal nature and be reimbursed for the costs. Conferences should be told to the town board prior to attendance. Dues for national, state and county associations shall be paid by the Town of Colden from General Funds.

Be it RESOLVED THAT All employee reimbursement requests are submitted within 60 days of said expenditures to be eligible for payment within the budgetary year.

Be it RESOLVED THAT: Any official using his or her automobile while conducting Town Business shall be reimbursed on the basis of \$.535 per mile upon submission of a duly executed voucher, stating the date, reasons for travel and the number of miles. That food allowance for employees who attend business meetings or seminars for the Town of Colden be allowed to \$70.00 per day. Food Allowance for NY City will be \$125.00 a day. Receipts will be required for reimbursement.

Be it RESOLVED THAT Meals on Wheels volunteers for the Town of Colden be reimbursed on the basis of \$.535 per mile, upon submission of a duly executed voucher, stating the date(s) and number of miles.

24. Be it RESOLVED THAT the Tax Collector & Town Clerk retain a petty cash fund of \$100.00 each during 2017, Supervisor retain a petty cash fund of \$200.00 during 2017, The Water District Clerk retains a petty cash fund of \$150.00.

Be it RESOLVED THAT the Town Clerk retain a petty cash fund of \$100.00 during 2017 for collection of Water District Payments.

Be it RESOLVED THAT the Supervisor be authorized to pay the bills for all funds including payroll and the Town Board shall audit the bills every month prior to the Town Board meeting.

Be it RESOLVED THAT the Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year a copy of the report sent to the State Comptroller as required by Section 30 of the General Municipal Law; and thereafter a summary of such report to be published pursuant to law. Upon written request from the chief fiscal officer, the comptroller may extend the period for filing such report for an additional sixty days.

Motion made by Councilman Arcara and seconded by Councilman Pietraszek and unanimously approved Page 4 of the 2017 Organizational appointments.

## 25. NEXT ITEMS ARE APPOINTMENTS & COMMITTEES

I appoint Joseph Marren as Town Historian at the yearly salary of \$700.00.

I appoint David Arcara as Affirmative Action Officer

Town Law Section 6 authorizes the Supervisor to appoint solely in his or her discretion, committees consisting of the members of the Town Board. Since the Supervisor has the discretion in regards to the creation of these committees as well as appointments of the Town Board member, the Supervisor also has the discretion of which matters are referred to the committee.

The following committees for the year 2017 appointed by the Supervisor:

Buildings	Councilman Arcara
Code Enforcement Officer	John Kotlarsz
Community Development	Councilman Zurbrick
Dogs	Councilman Arcara
Environment	Councilman Pietraszek
Highway & Parks	Superintendent Clarkson
Insurance	Councilman Arcara
Library	Councilman Hrycik
Personnel Assistant & Training Coordinator	Councilman Zurbrick
Planning	Councilman Hrycik
Water District	Councilman Pietraszek
Youth/Adult Recreation	Councilman Zurbrick

26. RESOLVED THAT attendance at board sessions is an essential responsibility of board members. Failure to attend 70% of sessions is grounds for revocation of appointment. Similarly, failure to meet minimum standards for annual training as established by State Law is considered cause for removal.

27. RESOLVED THAT Crystal Barrett be appointed as Secretary of the Board of Assessment Review, Planning, Environmental & Zoning Boards with a wage of \$13.79 per hour paid bi-weekly.

28. Planning Boards (7 – 7 Year Appointments)  
Meets the 3<sup>rd</sup> Tuesday of each month @ 7 PM

Robert Walker	December 31, 2017
Walter Kammer	December 31, 2018
Richard Sheldon	December 31, 2019
Linda Kotlarz	December 31, 2020
Frank Hrycik	December 31, 2021
Peter Newsom	December 31, 2022
George Reinhardt	December 31, 2023

29. Environmental Board (5 – 2 year Appointments)  
Meets the 1<sup>st</sup> Tuesday of each month @ 7 PM

Ellen Eigenbrod	December 31, 2017
Deborah Jusiak	December 31, 2017
Deborah Pasco	December 31, 2018
Linda Antkowiak	December 31, 2018
Craig Bouquin	December 31, 2018

30. Zoning Board (5 – 5 year Appointments)  
Meets the 3<sup>rd</sup> Thursday of each month @ 7 PM as needed

Peter Frank	December 31, 2017
Bernie Horschel	December 31, 2018
Janet Dillsworth	December 31, 2018
Shawn Webster	December 31, 2019
Mark Bus	December 31, 2020

31. Board of Assessment Review (5 – 5 year Appointments)  
Meets the 4<sup>th</sup> Tuesday of May

Jill Masset	September 30, 2017
Daneen Vincent	September 30, 2018
Gary Willert	September 30, 2019
John Pasco	September 30, 2020
Craig Bouquin	September 30, 2021

MOTION made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved pages 5 and 6 of the 2017 Organizational appointments.

Organizational meeting adjourned at 7:25pm.

Recessed for review of the Town Board Books for the Supervisor/Bookkeeper, Town Clerk/Tax Collector and Town Justices

Supervisor DePasquale called the Town Board meeting back to order at 7:35pm.

**REGULAR TOWN BOARD MEETING  
COMMITTEE REPORTS**

**MINUTES:**

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved the December 8, 2016 Town Board Workshop and the December 8, 2016 Town Board Meeting as presented.

**HIGHWAY REPORT & PARKS**

Highway Superintendent Clarkson reported that Saia Communications is upgrading the present analog radio channel to a digital operations as of now there are 8 radios in trucks, 3 portable radios and two base stations. The company is willing to buy back the radios and base stations to cut the cost of new radios. Highway Superintendent Clarkson stated that he is requesting only 8 radios in trucks, 2 portables and 1 base station. The Town Board would like the radios to be GPS equipped. Highway Superintendent Clarkson stated there would be an extra charge Supervisor DePasquale stated that there was an extra \$5.00 charge on the radios. Town Board asked for Highway Superintendent Clarkson to obtain a solid contract from Saia Communications before acting on the matter.

**BUILDING REPORT**

No report

**CODE ENFORCEMENT OFFICER REPORT**

Report for the month of December – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

- 2 Building permits issued
- 14 Certificate of Compliance
- 2 Court Appearances
- 1 Building Permit Denied

**COMMUNITY DEVELOPMENT REPORT**

No report

**DOG CONTROL OFFICER REPORT**

Councilman Arcara reported that DCO Kathy Horschel monthly report for December 5, 2016 to January 1, 2017 they received several calls asking questions about licensing dogs, tickets that have been issued on outstanding license renewals. Calls received about missing pets which were all back within a day except for one Husky which is missing from Holland since Christmas Day. Responded to a location of a dog bite, it was a tough situation the owner had to have the dog euthanized.

**ENVIRONMENTAL BOARD REPORT**

No report

**INSURANCE REPORT**

No report

**LIBRARY REPORT**

No report

**PERSONNEL & TRAINING REPORT**

Councilman Zurbrick reported that members of the Planning Board and Town Board attended the Safety and Fire Considerations for Solar Panel Installation training at the Colden Fire Hall on December 19<sup>th</sup>.

Advertise for Part Time Maintenance Worker

Motion made by Councilman Zurbrick and seconded by Councilman Arcara and unanimously approved to advertise for a Part Time Maintenance Worker.

Interviews will be Thursday, February 2, 2017 at 6:00pm and a Town Board workshop to follow at 7:00pm.

#### PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board attended the Safety and Fire Considerations for Solar Panel Installation training at the Colden Fire Hall on December 19<sup>th</sup> there was about 61 people that attended along with some of the Town Board.

#### WATER REPORT

Councilman Pietraszek reported that chlorine residuals are good.

- Neptune reader held off due to TiSales installation issues
- Hydrants exercised for the year
- Three valves are in need of repair 1-2” and 2-8”
- Annual Backflow tests are in progress
- Water price adjustment added to Williamson Law program
- Postcard was sent out to residents advising of increase in water - minimum \$42.00 for 4,000 gallons and \$4.45 for each additional 1,000 gallons
- Greg is talking with Cindi Stephen about checking mains for leaks
- Contacted UB Department of Engineering looking for a graduate program personal that could check on the water line, waiting for a response
- Emergency phone line being moved to the NYS OGS contract

#### YOUTH/ADULT RECREATION REPORT

Councilman Zurbrick reported that floor hockey starts Thursday and children need to bring eye protection and plastic sticks and mouth guards and shin guards are recommended.

#### OLD BUSINESS

None

#### NEW BUSINESS

None

#### RESOLUTIONS

None

#### BUDGET TRANSFERS

Motion made by Councilman Pietraszek and seconded by Councilman Arcara and unanimously approved to transfer the following funds.

#### 2016 Highway Budget Transfer Request

FROM: DA5110.41	FUEL	\$9,160.82
INTO: DA5130.4	Machinery Contractual	\$9,160.82

**TOWN CLERK REPORT**

Town Clerk Kerlin reported that Local Law #2-2016 for a Moratorium on the use of land for Commercial Solar Power Projects was filed on December 16, 2016 with the New York Department of State the Local Law will expire 6 (six) months from the date filed.

-Town Justice Martin McMahon was sworn in on January 1, 2017.

**SUPERVISOR'S REPORT**

Supervisor DePasquale stated that he hoped everyone had a good holiday.

-Town Board will be reviewing the comments made on the survey sheet pertaining to the purchase of 38 acres next to Kummer Park.

**PAY BILLS**

MOTION made by Councilman Zurbrick and seconded by Councilman Arcara and unanimously approved to pay the following bills.

General Fund Warrant Voucher #2016-443 to #2016-468	\$ 5,549.22
Highway Fund Abstract Voucher #2016-208 to #2016-220	\$23,655.18
Water District Voucher #2016-75 to #2016-79	\$ 6,391.69
Lighting District Voucher #2016-25	\$ 371.08
General Fund Warrant Voucher #2017-01 to #2017-13	\$ 9,941.97
Highway Fund Abstract Voucher #2017-01 to #2017-02	\$ 3,472.27
Refuse District Voucher #2017-01	\$17,968.66
Water District Voucher #2017-01 to 2017 #-02	\$ 122.70

**PRIVILEGE OF THE FLOOR**

Joan Montgomery asked if there would be a town vote on the purchase of the property next to Kummer Park.

Supervisor DePasquale stated that there would be and the Town Board is looking into the various ways to fund the purchase of the property.

**ADJOURN**

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:05pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk

