

TB Mtg SEPTEMBER 14, 2017
REGULAR TOWN BOARD MEETING
COLDEN TOWN HALL – September 14, 2017

MEETING CALLED TO ORDER AT 7:01PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE IN MEMORY OF MILDRED KELLNER, MARY BOIES, ROBERT WANGELIN IN MEMORY OF THE VICTIMS OF SEPTEMBER 11TH, FOLLOWED BY THE PLEDGE OF ALLEGIANCE

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

ALSO PRESENT Mitch Martin, Community Representative for Senator Gallivan
Highway Superintendent Paul Clarkson
Town Clerk Christina Kerlin
Approximately 42 residents

MINUTES:

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara and unanimously approved the minutes of August 10, 2017 Town Board Workshop and the August 10, 2017 Regular Town Board Meeting as presented.

AMEND AGENDA

Supervisor DePasquale amended tonight's meeting to open up Privilege of the Floor to hear residents' concerns on a proposed 1000 yard rifle range on Holland Glenwood Road.

The following residents were an attendance and voiced their concerns on a 1000 yard rifle range.

Joyce Lunser, Gloria Marinaccio, Roland Lunser, Todd Fisher, Michael Judd, Debbie Frohlich, Wendt Arndt Hunt, Bobby Jo Fitch, Anthony Wurzer, Kevin Suplicki, Ron Hensel, Joan Montgomery, Janice Kostelny, Mark Vergien, Anthony Clabeau

Concerns are:

- Safety concerns for their families and young children playing outside and not being able to utilize their property
- The height of the berms and back stop
- A dangerous situation to be shooting that far with homes in the area
- Drainage on the adjunct properties with the making of berms and a backstop
- Noise levels with the shooting

- Value privacy
- Property values changing with a range of that size
- There is no hunting with a rifle in Erie County why have a range were you can shoot a rifle
- The residents feel that they are not getting the full story from the resident wishing to put in the rifle range with all that is going on with the property renovations. Just not the right area for a range of that size.
- Concerns for people walking and riding ATV's in the woods
- A resident stated that a few years ago a hunter was in the woods behind their house and a stray bullet hit her barn it could have been much worse considering it was at a level where a person could have been hit this again is not an area for something that big.
- Disturbing wildlife, farm animals and pets
- Lead poisoning in the ground and leaching into wells and property where children play
- Concern with a 1000 yard range with the size caliber of guns being shot
- Changing of the environment

Ron Hensel lives on Center Street stated that he lives next to a shooting range where every weekend there are guns being shot all day long. Ron played an audio sound of the shooting event that took place over the last weekend and he says it pretty much goes on every weekend for many hours.

Supervisor DePasquale stated that there is nothing that is before the Town Board on the issue of a 1000 yard rifle range this is not a Public Hearing. This has come to him from concerned citizens and that is why he invited everyone here to address their concerns to the Town Board. There was a proposed business rifle range brought to the town back in March but it was never brought to the Town Board for review because it was not a permitted use for a business. That issue was dealt with through the building inspector and the Town Attorney. All the information that has been brought to the Supervisor over the last two days has been given to the Town Attorney to see what is stated in the Town Code on this matter. As of right now the home owner in question is having his property logged and is building a pole barn which he has a valid building permit for he is not doing anything wrong. If there is a rifle range being planned the Town Board will take into consideration all the concerns that were stated tonight safety of residents comes first. Again the Town Board has had no proposal brought forward for review. Town Attorney advises that we do not comment until we have heard back from him with valid answers on this issue.

Dallas Rensel stated that he is the home owner whose property is being referred to tonight with all the concerns from the neighbors. He stated that there is a lot of misinformation being stated tonight after he submitted an application back in March which has been denied. He understands a lot of the concerns about building this rifle range but he is following the government guidelines to build a rifle range which state the size of the berms and how they must be maintained to

prevent the lead migration as well as permit safe use to property around the rifle range. Dallas said he has been shooting guns for most of his life he enjoys shooting competitively. Dallas stated that he is open to anyone coming on his property to see what he is doing as well as working with his neighbors on some of their concerns.

Supervisor DePasquale thanked everyone for coming tonight and addressing the Town Board with their concerns as well having Dallas here tonight to hear his neighbor's concerns. This issue is not before the Town Board for any action. The Town Attorney is looking into this issue to see what is stated in the Town Codes as far as having a rifle range of this size and until we hear back from the attorney there will be no comment from the Town Board on this issue.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that the handicap bar on the front door at the Senior Center is not working properly. Imperial Doors will be contacted since they have just replaced the front door. There are bats that have been getting in the upstairs of the Senior Center and three quotes were obtained for the removal of the bats and securing the upstairs:

Surburban Pest Control:	\$3,000.00
Ehlich	\$3,420.00
Orkin Pest Control	\$3,450.00

Supervisor DePasquale called and emailed the Town Board on September 1st for an approval due to the emergency removal of the bats at the senior center.

Town Board unanimously approved to have Orkin Pest Control remove the bats and secure any areas where the bats could enter the Senior Center at a cost of \$3,450.00 which also included the sterilization of the soiled areas.

The highway building will be painted and quotes are being obtained for flooring to replace the worn carpet in 3 offices at the Town Hall.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of August– Councilman Hrycik reported that there were:

- 8 Building Permits Issued
- 1 New Build Permit
- 1 Court Appearance
- 1 Building Reported Unsafe
- 1 Stop Work Order

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported that there was discussion at the workshop on posting a speed limit on Murray Hill Road after a concerned citizen notified the Town Board that there was no speed limit posted for the road. That made it difficult for the State Troopers to enforce any speeding violations on Murray Hill Road without a speed limit posted.

Approve Murray Hill Road Speed Limit Posting

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik and unanimously approved to post Murray Hill Road at the beginning of South Hill Road and at State Road for 35 MPH speed limit.

Colden Art Festival will take place on September 30th and October 1st - Vendors are needed and applications are available on the table in the Town Hall and online.

A Rummage Sale will be held at the Bread of Life Outreach Center during the Colden Art Festival.

Farmers Market is open from 8:30am – 1pm at the Bread of Life. Gabriel's Closet is open during the week. On the fourth Thursday of the month the Food Bank Truck is at the Bread of Life Outreach bring a bag or a box with you and ID. Free Little Library is at the Bread of Life Outreach Center you are able to take a book and return a book for more information you can go on the Bread of Life Outreach Center website.

Upcoming senior trips on are Tuesday, October 17th to Seneca Niagara Casino, package includes \$20 slot, lunch buffet and show ticket to see "My Mothers Italian, My Fathers Jewish and I'm in Therapy" money is due by September 26th.

Wednesday, November 29th, Christmas Memories includes St. Patrick's Church Tour, Lunch at Station Dinner Theatre to see "Christmas Memories".

Colden Art Festival

MOTION made by Councilwoman Zurbrick and seconded by Councilman Arcara and unanimously approved to have the town supply insurance policy coverage for the Colden Art Festival, 1 port-a-potty, a hand washing station, trash cans with bags from Waste Management, and constables for the event.

DOG CONTROL OFFICER REPORT

Councilman Arcara read DCO Kathy Horschel's monthly report for August 7, 2017 – September 10, 2017: DCO Kathy Horschel was bitten by a dog that they were checking on the dog was under a ten day observation for a previous dog bite to another person. Health department was contacted. A few calls on dogs and cats.

DCO Kathy Horschel Resignation and Appointment of Bernard Horschel as DCO

Motion made by Councilman Arcara and seconded by Councilman Pietraszek and unanimously approved to except the resignation from DCO Kathy Horschel and appoint Assistant DCO Bernard Horschel as the DCO at the approved rate for the DCO.

The town will look into DCO shared services with the Town of Holland and Concord.

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that there was no meeting this month for the Environmental Board.

The Town will hold a Household Hazardous Waste & Electronics Recycling Event at the Colden Fire District at Center and Partridge Road on Saturday, September 16th from 8am – 12pm.

Postcards were mailed out and pre-registration is online through Hazman or contact the Town Supervisor's office.

HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that chip sealing is complete, mowing and ditching is going on, Kummer Park driveway is being repaired and the highway building is being painted.

Councilwoman Zurbrick stated for the record that all Highway employees must wear their seatbelts while driving any town vehicles that is from the PESH inspector who was here the last time he was in town. Councilwoman Zurbrick also asked Highway Superintendent Clarkson if all town vehicles were up to date on vehicle inspections. Highway Superintendent Clarkson stated that all vehicles were up to date and that he keeps a record on all the vehicles.

Highway Superintendent Clarkson will be attending training on Wednesday September 20th through Friday, September 22nd in Ellicottville, he will be traveling back and forth instead of staying.

INSURANCE REPORT

No report

LIBRARY REPORT

Councilman Hrycik reported that the West Falls Colden Library will be having a Burgers & Blessings event on Tuesday, September 19th from 5:30pm – 7pm there will be \$7.00 cheeseburger or hamburger or vegan-burger with chips & pop – kids \$3.00 all proceeds benefit the library.

Boston Library is holding an Artist Workshop on Saturday, October 7th, 11am Create original artwork for the Boston Free Library Children's Room. Images will be painted from your favorite books. Supplies will be provided. This program is funded by the New York State Council on the

Arts with the support of Governor Cuomo and the New York State Legislature. For ages 7 and up.

Preschool Story Time

Tuesdays at 6pm, September 19th – October 17th

Or

Thursdays at 10:30am, September 21st – October 19th

Stories, crafts, songs, and snacks

Ages 3- 5

Supervisor DePasquale stated that there was money put in the budget last year for a donation to the Boston Library after some discussion on how the money could be used for different programs it was decided that Councilman Hrycik would talk with Lydia from the Boston Library to see what program would be able to make use of the donation.

PERSONNEL & TRAINING REPORT

Councilwoman Zurbrick reported that annual training will take place on Monday, September 18th with the Town of Aurora for employees that can make the training. There will be another training class offered at a later date.

PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board has been working on Solar Code revisions, fees and fine code book changes,

WATER REPORT

Councilman Pietraszek reported:

-Water usage being followed weekly

-Shut off gate valve exercising 80%

-Steve Noyes from ECWA has received our tracking of chlorine level. Tracking due to poor ECWA delivery issues continue to run survey at Town Hall in morning& night then give results to Steve and verify with tank output records, still having variations

-DC 1200 Colorimeter chlorine reader issues, under warranty, returned for repair. Loner returned with arrival of the recalibrated/restored meter.

-Flushing of lines continue

YOUTH/ADULT RECREATION REPORT

Councilwoman Zurbrick reported that a field trip is coming up on October 7th to Beaver Meadows and there is still room for 3 participants.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS

Supervisor DePasquale read the following resolution for a court grant to receive secured chairs for the courtroom.

JUSTICE COURT ASSISTANCE PROGRAM GRANT

WHEREAS, The Town of Colden Court System services the needs of the NYS Department of Environmental Conservation Enforcement, the NYS Police and the Erie County Sheriffs,

WHEREAS, The Town of Colden Court System is continually interested in upgrading and improving its equipment in order to better serve not only the public, but also cooperating municipalities,

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Colden authorizes the Colden Justice Court to apply for a Justice Court Assistance Program Grant to the maximum amount available.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek to approve the Justice Court Assistance Program Grant.

On the Vote: Councilman David Arcara - yes
Councilman Jesse Hryck – yes
Councilman Patricia Zurbrick – yes
Councilman Gerald Pietraszek – yes
Supervisor James P. DePasquale – yes

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that the 2018 Budget Workshop and Community Development Block Grant need to be advertised.

Advertise 2018 Budget Workshop and CDBG

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved to advertise the 2018 Budget Workshop for Thursday, October 5th at 7:00pm and the Public Hearing for the Community Development Block Grant for Thursday, October 12th at 7:00pm at the Colden Town Hall.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that the State Shared Service Property Plan passed the Town has opted out of the Tax Collector and the Town Assessor being eliminated from the Town. Recommendations go to Governor Cuomo for review. Budget requests forms for the Town departments have been submitted. Supervisor DePasquale will be having some shoulder surgery coming up on September 18th.

PAY BILLS

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

General Fund Warrant Voucher #2017-333 to #2017-385	\$ 36,716.13
Highway Fund Abstract Voucher #2017-121 to #2017-147	\$141,127.27
Refuse District Voucher #2017-36	\$ 18,339.46
Water District Voucher #2017-52 to 2017 #-63	\$ 9,712.41
Lighting District Voucher #2017-15 to #2017-16	\$ 1,916.65

PRIVILEGE OF THE FLOOR

Supervisor DePasquale introduced Mitch Martin, Community Representative for Senator Gallivan who stated that he was here on behalf of the Senator to extend to the community that if the town residents had any concerns or questions to feel free to contact the Senators office with their concerns. Supervisor DePasquale asked Mitch if he could talk with the Senator on helping to acquire cable service to the rest of the town that does not have the service. Mitch said he would take the information back to the senator.

Discussion continued on cable service being extended to residents that do not receive cable.

Joan Montgomery appreciated the highway departments mowing of the side of the rides and how nice it is to drive on the town roads.

Highway Superintendent Clarkson reported that the basketball hoops are back up at Kummer Park and the septic system has been pumped out at the park building.

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:39pm.

Respectfully submitted,

Christina M. Kerlin
Town Clerk

