

TB Mtg JUNE 13, 2019
REGULAR TOWN BOARD MEETING
COLDEN TOWN HALL – June 13, 2019

MEETING CALLED TO ORDER AT 7:00PM

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE FOR REBECCA HOLMES FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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

ALSO

PRESENT: Town Clerk Christina Kerlin
Asst. CEO/Fire Inspector Thomas Dziulko
Recreation Director kip Palmateer
Highway Superintendent Clarkson
Approximately 7 Residents

MINUTES:

MOTION made by Councilman Arcara and seconded by Councilwoman Zurbrick and unanimously approved the minutes of the May 2, 2019 Town Board meeting as presented.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that only one estimate was received for the Town Hall roof even after advertising in the Springville Journal. Councilman Arcara and Councilman Hrycik will reach out to some roofing companies and see if they can provide a quote to replace the roof this year.

Tennis wall will be tabled for now.

Supervisor DePasquale stated that a pressurized window at the Senior Center is broken the window is not in a high traffic area Charles will take a look at the window.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of May – Asst. Bldg. Insp/Code Enf. Officer, Thomas Dzuilko reported that there were:

21 Building Permits

1 New Dwelling

1 Certificate of Occupancy

24 Certificates of Compliance

5 Fire Inspection

John attended 1 day of school

Tom attended 3 days of school and has completed 3 of the 6 courses

There was an Order to Remedy sent to a homeowner on State Road he has been working on cleaning up the yard and progress is being done.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported the following:

Senior Trips

*Tuesday, June 25th Life of the Old Order Amish cost is \$55.00 per person

*Thursday, July 25th National Comedy Center, Lucy and Desi Museum cost is \$69:00 per person

*Tuesday, December 10th The Lettermen at Seneca Niagara Casino cost is \$50.00

For more information on the trips you can go to the Town website, signboard in the Town Hall or Contact Patricia Zurbrick at 941-3237

The first concert went well, and attendance was good the Colden Cruise Club was there with some cars. The next concert is this Wednesday with Penny Whiskey from 7pm – 9pm if there is rain the concert will be held at the Colden Fire Hall and will be posted on the signboard as well. July 3rd the concert will be held at Kummer Park along with a fireworks display.

Bread of Life Outreach Farmers Market are on Saturdays from 8:30am – 1:00pm

Bread of Life Outreach Center Hours of Operation

Food Pantry

Thursdays 3pm - 6pm

Saturdays 10am - 1pm

Gabriel's Closet Thrift Shop

Tuesday 10:00am - 2:00pm

Wednesday 10:00am - 2:00pm

Thursday 3:00pm - 6:00pm

Saturday 10:00am - 1:00pm

Mobile Food Pantry is the 4th Thursday of every month from 3pm – 5pm except Nov & Dec.

Town Board discussed taking out the flower beds in the town parking lot by the Colden Market. There has been some damage to the flower beds vehicles driving through them and flowers being picked out. With all the work Teri puts into the garden and now with damage to the gardens it may be nice to put more landscaping by the gazebo and widen the entrance to the parking lot. Councilwoman Zurbrick asked if a “Town Parking “sign could be placed at the parking lot coming from Boston Colden Road direction there is a sign coming from Route 240 direction. The sign would be helpful for people coming from that direction, so they are aware of public parking in the town lot. Highway Superintendent Clarkson will look to see what signs he has before ordering a sign. Also, the placement of the sawhorse signs for the store make it very difficult to park in the parking lot the owners need to be contacted so that they are aware that the signs should be removed from that area in question.

Councilman Hrycik stated that with cooperation maybe between the owners and the town the parking lot could be restriped and making them aware of the difficulty parking in the lot with the placement of the signs in the parking lot and possibility of stripping the parking lot.

There was discussion on removing the flower beds and widening the entrance of the parking lot along with different parking possibilities.

Approve Removal of the Flowerbeds

MOTION made by Councilwoman Zurbrick and second by Councilman Pietraszek to approve the removal of the flowerbeds at the town parking lot, the topsoil to be reused if possible, widen the entrance, blacktop the area being redone. Striping of the parking lot will be done later.

On the Vote: Councilman David Arcara - no
Councilman Jesse Hrycik - yes
Councilwoman Patricia Zurbrick - yes
Councilman Gerald Pietraszek - yes
Supervisor James DePasquale -yes

Supervisor DePasquale and Councilman Arcara will contact the store owners to let them beware of the removal of the flower beds and placement of the signs.

Councilwoman Zurbrick stated for the record Bread of Life Outreach Center has asked in the past to have their website link placed on the Towns website. Supervisor DePasquale will have his secretary add the link to the website

DOG CONTROL OFFICER REPORT

Councilman Arcara read the following DCO report for May 1, 2019 – May 31, 2019.

- Attended two days of school
- Orchard Park DCO called to inquire if a vehicle was furnished to the Colden DCO.
- A small dog was was missing on Lewis Road for two weeks was found at an abandoned home.
- More RoBo calls
- Went to a deposition hearing on a dog bite incident from three years ago.
- Dog kennel inspections were completed

The following rabies clinics are planned for this year:

- Wednesday, May 15th - West Seneca Highway Garage from 4-7pm
- Wednesday, May 22nd – Town of Tonawanda Highway Garage from 4-7pm
- Wednesday, May 29th – Broadway Market Parking Ramp from 4-7pm
- Wednesday, September 11th – ECC South Campus BLDG #7 (Maintenance Garage) from 4 -7pm
- Wednesday September 18th ECC North Campus Noonan Center (Maintenance Garage) from 4 - 7pm
- Wednesday, September 25th Cheektowaga Highway Garage from 4-7pm

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that the Environmental Board reviewed the SEQR form for Keith VanLew on Hayes Hollow Road for an Auto Sales Business. The next process is for the Planning Board to review the Special Use Permit application.

There was discussion on a farm up on South Hill Road where neighbors had a complaint about how close the cows are to their property line.

Special Use Permit inspections took place and the Town Board will review them later at tonight's meeting.

HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that Stanfield Road project had a few issues but went well, shoulders need to be filled in and chip sealing will be done later.

Paul asked the Town Board if they received a copy of the truck that he would like to purchase next year. Town Board agreed they had received the information.

Councilwoman Zurbrick asked Highway Superintendent Clarkson if he could run the following trucks Osh-Kosh, Mac Truck and the 1 ton for 5-10 minutes tomorrow. Verizon contacted to say those trucks were not being picked up on GPS. Paul stated that the Mac truck and 1-ton have been running all week, but he would run them tomorrow.

INSURANCE REPORT

Councilman Arcara no new updates on insurance except that there may be a possible 2% decrease.

Supervisor DePasquale stated that Comp Alliance had no increase this year as well.

LIBRARY REPORT

Councilman Hrycik reported the following:

Boston Library

2019 Annual Summer Fundraiser will take place Thursday, July 11th from 5p-7:30pm, There will be Hot Dogs, Basket/Bike Raffle, Vendors, Artisans, Crafts, and Live Music

Bookmobile will be at the Bread of Life Outreach Center on the 4th Tuesday of the Month from 10am-2pm

PERSONNEL & TRAINING REPORT

Councilwoman Zurbrick reported that Judge Schneider and Judge McMahon would like the Town Board to appoint Hanna Stover as the replacement Court Clerk when Maria Falzone leaves the position as Court Clerk.

Approve Appointment of Hanna Stover as Court Clerk

MOTION made by Councilwoman Zurbrick and seconded by Supervisor DePasquale to approve Hanna Stover as Court Clerk at a 6-month wage of \$14.88 per hour after 6 months \$15.88 per hour with training and at a year the wage will go to \$16.88 per hour.

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

PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board was wondering about the updated code changes for dog kennels with the language for residential kennels verses commercial kennels, the language that was struck from the code book about road frontage that was mistakenly taken out sometime in the 80's or 90's as well as grass height and other code changes recommended to the Town Board.

The Town Board discussed whether to hold another workshop on the recommended code changes. Town Board decided to send the recommendations to Town Attorney Ronald Bennett to draft a Local Law for the changes to the Town Code Book.

Approve to Move the July Town Board Regular Meeting Date

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik and unanimously approved to move the July 11, 2019 Town Board meeting to July 18, 2019 at 7:00pm. Town Clerk Kerlin will advertise the change in the Springville Journal and post at the Town Hall.

WATER REPORT

Councilman Pietraszek reported at the present time water consumption billed to ECWA for the prior month was 1,453,000 gallons at a cost of \$3,748.74 + \$256.25 = \$4,004.99

-The Annual Water Quality Report was sent, posted, recorded and certificate sent to DOH

-Water Operator Greg Adams is setting up for the bulk water filling station and calling haulers to make them aware of our services.

-Problems again with chlorine reader, cleaned, new battery still having issues, new one ordered should arrive in July sometime

-Checking bulk non-potable rules with DOH J. Buell

-NYSDOH requires no paperwork for water loading stations. You may sell any water you want from the loading station, but it is up to the bulk water carrier to determine the quality of the water carriers can determine if the water can be sold as potable, as they run and are regulated similar to water systems. Please refer to 10 States Standards for Waterworks, Section 8.13, for guidelines on required air-gaps and other regulations for loading stations.

- Bulk Water Rates for 2019
 - \$49 Min chg/month for up to 1000 gallons
 - \$12 chg/1000 gallons & fraction
 - \$3.60 ECWA infra chg/month
 - Billing date dependent on usage amount

YOUTH/ADULT RECREATION REPORT

Recreation Director Kip Palmateer reported that the Community Garden has been planted, with help from a few Colden families, the Colden Boy Scout Troop, and members of Cornell Cooperative Extension. Thank you to all those helping. Families are caring for the garden by water and weeding.

Nicholas Sullivan did a great job on the boxed gardens and he will be adding benches and a cabinet to house the garden tools.

Approve the Following Recreation Employees

MOTION made Councilwoman Zurbrick and seconded by Supervisor DePasquale and unanimously approved the following recreation employees at minimum wage Max Solly, Nyah Solloy, Abigail Mary, Brooke Sellers, Caylene Mary, Alainey Leatherbarrow, James Wohlheuter, Ethan Hallett, Jena Schelble, Jacy Schelble and Olivia Fisher.

OLD BUSINESS

REVIEW SPECIAL USE PERMIT INSPECTIONS

Supervisor DePasquale read the following Special Use Permit inspections that were conducted on June 1, 2019 by Councilman Pietraszek, CEO John Kotlarsz, Planning Board Chairman Walter Kammer and Asst. CEO Thomas Dzuilko.

Dog Kennel Special Use Permit inspections were conducted on June 3, 2019 by DCO Bernard Horschel and Councilman Arcara.

David & Allison Giambra

Number of Dogs – Three
Location of Kennel – Garage
General Appearance of Kennels – Good
Violation – None
Recommendations – None

Lynn Khadiagala

Number of Dogs – Three
Location of Kennel – In house
General Appearance – Good
Violation – None
Recommendations – None

Mark Lietzan

Number of Dogs – Three
Location of Kennel – In house
General Appearance – Very Good
Violation – None
Recommendations – None

Anthony & Nancy Wurzer

Number of Dogs – Four
Location of Kennel – In house
General Appearance – Good
Violation – None
Recommendations – None

Kevin & Mary Suplicki

Number of Dogs – Five
Location of Kennel – In house
General Appearance – Very Good
Violation – None
Recommendations – None

Janis Kidd

Number of Dogs – Three
Location of Kennel – House & Fenced
General Appearance – Good
Violation – None
Recommendations – None

Diane Kolotylo-Farish

Number of Dogs – Five
Location of Kennel – In house
General Appearance – Very Messy
Violation – None
Recommendations – Possible hay or mulch in fenced in area

Daniel Geile

Number of Dogs – Four
Location of Kennel – Off the side of house
General Appearance – Very Good
Violation – None
Recommendations – None

Daryl & Jackie Gallagher

Number of Dogs – Four
Location of Kennel – In house
General Appearance – Good
Violation – None
Recommendations – None

FRANK HRYCIK

-Type of Special Use Permit – Auto Salvage Yard
-General Appearance – Rear area is organized. Area behind barn needs to be organized
-Conformity to SUP – 26 Vehicles, 1 trailer, 1 scissor
-Recommendations – Noted 35+ tires many of which should be recycled

KLOIBER AUTO RECYCLING

David Kloiber

-Type of Special Use Permit – Junkyard Permit
-Inventory of Vehicles – 619
-General Appearance – More vehicles this. Stock piles of gas tanks, radiators and wheels
-Fencing or Shrubs – Good
-Disposition of Oil – Poor oil was spread over the ground
-Recommendations – Written notice to Mr. Kloiber to cease the Application of oil to ground surface and to account for oil disposed

Hold off till disposition of oil violation is corrected.

PAUL COHN – WIND TURBINE

- Type of Special Use Permit – Windmill
- General Appearance – Good
- Conformity to SUP – Meets permit
- Recommendations – None

KAEFER GRAVEL PIT

- Type of Special Use Permit – Gravel Pit
- General Appearance – Good – active gravel pit at N.W. Section
- Conformity to SUP – Appears to meet conditions
- Recommendations – None

SAIA COMMUNICATIONS

- Type of Special Use Permit – Commercial Two-Way Radio Tower
- General Appearance – Lawn in fenced in area needs cutting
- Conformity to SUP – Meets permit
- Recommendations – Cut grass

DR. GREGORY YOUNG – Tower Permit

- Type of Special Use Permit – Radio Transmission Tower
- General Appearance – Good
- Conformity to SUP – Meets permit
- Recommendations – None

BUFFALO SKI CLUB – SBA TOWER

- Type of Special Use Permit – Tower-Communication
- General Appearance – Good
- Conformity to SUP – Generally meets permit, site is secure
- Recommendations – Underground vault needs more secure hatch is loose

BUFFALO SKI CLUB

- Type of Special Use Permit – Bridge Permit
- General Appearance – Paint good, Supports good, Deck, starting to deteriorate
- Conformity to SUP – Meets permit
- Recommendations – Check on next or most recent inspection. The

2016 inspection recommended biennial inspections. Should be one from 2018, if not inspect this year.

Hold Off Special Use Permit renewal until recent bridge inspection report submitted to Town Board.

Approve Special Use Permits

MOTION made by Councilwoman Zurbrick, seconded by Councilman Arcara and unanimously approved to renew the above Special Use Permits for September 30, 2019 to September 30, 2020 with the exceptions to Hold Off Special Use Permit renewals for Kloiber Junkyard Permit until disposition of oil is clarified and Buffalo Ski Club – Bridge Permit until recent bridge inspection report submitted. Councilman Hrycik abstained from Frank Hryck due to family members ownership.

NEW BUSINESS

Councilman Hrycik reported that at the Tire Recycling Event this year 25 residents came, and 137 tires were collected. This year it was held with Southtowns Tireman and he will collect tires throughout the year for a small fee.

Councilwoman Zurbrick reported that Erie County Clerk Mickey Kearns will be attending the July 9th Senior meeting at the Colden Senior Center to discuss the Real ID Act compliance that takes effect on October 1, 2020. The federal government will require your driver license, permit or non-driver ID to be REAL ID compliant if you wish to use it as identification to board a domestic flight (within the U. S.), or enter military bases and certain federal facilities.

RESOLUTIONS

None

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin submitted information to the Town Board on conducting different ways of having a successful dog enumeration. Also, information on updating the general code books or moving forward with just using online Ecode with a limited number of Town Code books and adding the new ECode 360 MapLink.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that a letter was received from the State Office of Real Property Tax services establishing a final state equalization rate of 37.00% for the Town of Colden. The refuse contract will be up at the end of the year. Refuse contractors will be notified to submit bids for the Town of Colden. There are many changes this year to recycling and bulk items.

Councilwoman Zurbrick will contact the Comptroller’s Office to see if we can extend the contract or if we should bid the contract out.

Concert went well and there was a good turnout. The next concert event a gentleman asked to have a Bar-b-que of pulled pork and brisket, the gentleman was told there are no guarantees on sales for him. The Colden Inn, Colden Mill and the Colden Market all serve a variety of food if someone wants something to eat.

An email was sent out last month with an update on the fireworks cost and the Town Board approved by e-mail a Fireworks display for \$4,500.00.

PAY BILLS

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

General Fund Warrant Voucher #2019-158 to #2019-224	\$ 34,256.29
Highway Fund Abstract Voucher #2019-72 to #2019-97	\$130,531.66
Water District Voucher #2019-20 to #2019-27	\$ 5,976.58
Lighting District Voucher #2019 -07 to #2019-09	\$ 3,727.98
Refuse District Voucher #2019-26 to #2019-27	\$ 19,402.04

PRIVILEGE OF THE FLOOR

Bernie Horschel stated that the Town of West Valley hired two people just for the dog census and Bernie explained the way he conducts the census for the town. The town will hold off on a census until next year.

Linda Antkowiak asked if the events calendar on the website could be updated with current events and Town Board meetings, Supervisor DePasquale will have his secretary update the information.

Supervisor DePasquale “Thanked” Karen Howard who is a representative from Senator Gallivan’s office for coming to tonight’s Town Board Meeting.

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:52PM.

Respectfully submitted,

Christina M. Kerlin
Town Clerk