

TB Mtg August 13, 2020
REGULAR TOWN BOARD MEETING
COLDEN TOWN HALL – August 13, 2020
VIA: Go To Meeting

MEETING CALLED TO ORDER AT 7:00pm

SUPERVISOR DePASQUALE AND COUNCILWOMAN ZURBRICK OPENED THE MEETING WITH A MOMENT OF SILENCE FOR DONALD SCOTT SR. 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
Bldg. Insp/CEO John Kotlarsz
Asst. Bldg. Insp/Fire Insp. Thomas Dzuilko
Highway Superintendent Clarkson
Rec. Director Kip Palmateer
Approximately 7 Residents

MINUTES:

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek and unanimously approved the minutes of the July 9, 2020 Town Board Regular meeting as presented.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that Delo Septic Service was called to pump the septic tank at the Town Hall. Delo advised to have the septic pumped on an annual basis due to the size of the tank.

Senior Center upstairs urinal has been running not sure how long, water was shut off and Roy's Plumbing will be out on Friday morning to repair the problem.

Highway Superintendent Clarkson obtained quotes for a door opener on the bay for the loader at the highway barn and one for the gas pump at the highway department.

Town Park has had some bee issues Highway Superintendent Clarkson did go up and spray, Orkin will be called if needed.

Approve Repairs to Door Opener at the Highway Garage Bay for the Town Loader

MOTION Made by Councilman Arcara and seconded by Supervisor DePasquale and unanimously approved the repair of the door opener at a cost of \$1,075.00 from Hamburg Overhead Door. Monies would come out of the General Funds.

Approve Repair to the Gas Pumps at the Highway Department

MOTION Made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved the repair of the gas pumps at the highway department at a cost of \$1,252.32 from Pump Doctor. Monies would come out of the Highway Fund.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of July 2020 –Bldg. Insp/Fire Insp. John Kotlarsz reported that there were:

- 15 Building Permits Issued
- 1 New Dwelling
- 23 Certificate of Compliance
- 5 Fire Inspections
- 4 Phone Complaints – 1 was High Point of EC

Asst. CEO Tom Dzuilko reported information on the Land Bank if towns would like to participate in the foreclosures to tax delinquent properties in town.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported the following:

Farmers Market at BOLO on Saturday from 8:30am to 1pm

Gabe's on the Hill Trift Shop: Tuesday, 10am – 5pm
 Wednesday, 2pm – 7pm
 Friday, 10am – 6pm
 Saturday, 9am – 2pm

Monthly Mobile Food Pantry is scheduled for the 2nd and 4th Thursday of the month from 2:30 to 4:30 PM drive through at the Colden Fire Hall.

If COVID has affected your job or are laid off, you qualify for help stop into the food pantry:

Thursday 3-6
Saturdays 9 -noon

The Walking Event” sponsored by BOLO in memory of Marty McCallum is ongoing for families to participate in and a great way to explore Colden on foot. Packets are available at the Tennis courts and the back door of the Town Hall. The starting point is at Kummer Park enjoy getting to know the town you live in.

West Falls Fire Company is offering Food Truck Wednesdays from 5pm – 7pm at 1864 Davis Road.

DOG CONTROL OFFICER REPORT

Councilman Arcara read the following DCO report for July 1, 2020 – July 31, 2020.

Several calls about dogs found and or picked up and taken home.

A call on a skunk referred to Jack’s Nuisance and an injured deer directed the call to the Sheriff’s office.

Four appearance tickets sent out for the month of July.

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported there was no meeting for the month of July.

Erie County Soil & Water is planning to start the creek work beginning on August 24th.

HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported the following:

Erie County Salt Bid came in at \$44.13 a ton from Compass Materials the cost last year was \$57.98 a ton that is \$13.85 less than the year before.

Highway crew has been working on ditching and mowing of town roads.

Highway Superintendent Clarkson stated that the new plow truck is in and various equipment is being added. The truck will be licensed but with Covid going on an appointment was needed so that will take place soon. “Thank you” to the Town Board and residents for the purchase of the new plow truck it will be a great benefit for the town.

A resident sent an e-mail to the Town Board and Highway Superintendent questioning the speed limits on roads in the Town of Colden, Highway Superintendent Clarkson is going to follow up with the resident on his questions regarding the speed limits.

INSURANCE REPORT

Councilman Arcara reported that Health insurance renewal is up for this year, the current policy has gone up 7% and recommends staying with the current policy due to the cost for other insurance providers is more than what we are paying at the present time..

Approve Health Insurance for Eligible Town Employees

MOTION made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved the renewal of the current health insurance plan with Blue Cross/Blue Shield for town employees that are eligible.

LIBRARY REPORT

Councilman Hrycik reported that Lydia from the Boston Library Submitted the Charter today and “Thanked the Town Board again for their support.

PERSONNEL & TRAINING REPORT

A workshop is planned to discuss options for a parks employee the position is vacant since Tere Feidt’s retirement and the loss of Frank Brady who was doing the snow removal on the town sidewalks. Town Board and Highway Superintendent will attend the meeting on Thursday, September 3, 2020 at 6:30pm to discuss options for the position.

PLANNING BOARD REPORT

Councilman Hrycik reported that the Master Plan has been paused for now no contracts have been signed.

WATER REPORT

Councilman Pietraszek reported that there seems to be smaller lines 6” and 1 ½” that are in the meter pit and the water department is looking into who is responsible for replacing them the Town or Erie County Water. Water Operator Greg Adams will evaluate the meters and run a test on the lines and meter. Flushing of the water lines is being done and back flow tests are completed

There was discussion on increase in the surcharge, meter and water lines during the construction of the water system and who was responsible for watching the lines being placed.

YOUTH/ADULT RECREATION REPORT

Recreation Director Kip Palmateer read the following report:

Tennis program finished this week.

The garden has been producing quite a bit of vegetables over the last month. Plenty of lettuce, zucchini, squash, peppers and green beans. The tomatoes are in abundance and very green. Hoping they turn red any day now.

OLD BUSINESS

None

NEW BUSINESS

Councilman Pietraszek read the following Special Use Permits for approval:

Frank Hrycik
8698 Lower East Hill Road

- Type of Special Use Permit – Junkyard Permit
- Inventory of Vehicles – 27
- General Appearance – Good
- Fencing & Shrubs - Yes
- Disposition of Oil –
- Recommendations - None
- Inspected by: CEO John Kotlarsz,

David Kloiber
Kloiber Auto Recycling
10349 Darien Road

- Type of Special Use Permit – Junkyard Permit
- Inventory of Vehicles – 250
- General Appearance - Good
- Fencing or shrubs – Yes
- Disposition of Oil -
- Recommendations – None
- Inspected by: CEO John Kotlarsz,

Gene Long
“Second Hand Lions”
8561 Falls Road

- Type of Special Use Permit – Automobile Sales & Storage
- General Appearance – Good
- Conformity to SUP – Yes
- Recommendations – None

Michael Saia
SAIA Communications
Holland-Glenwood Road

- Type of Special Use Permit – Communications Tower
- General Appearance – Very Good. Lawn cut down very low.
- Conformity to SUP – Gate secure, grounds clear and good, free of debris. Tower in good condition.
- Recommendations – None. Gerry met with Mike Saia. The building will be replaced this fall/winter. New concrete pad, larger prefab building and barbed wire along fence top (up 2’).
- Inspected by: Councilman Gerald Pietraszek,

SBA Communications Corp.
Buffalo Ski Club

- Type of Special Use Permit – Television and Telecommunications Tower
- General Appearance – Good
- Conformity to SUP – Yes
- Recommendations- None
- Inspected by: CEO John Kotlarsz,

Dr. Gregory Young
8590 Phillips Road

- Type of Special Use Permit – Tower
- General Appearance – Good as usual. Anti-climbing shield in place and secure
- Conformity to SUP – Yes
- Recommendations – None

Buffalo Ski Club
State Road

- Type of Special Use Permit – Bridge over West Cazenovia Creek
- General Appearance – Good, there is some deterioration of the deck lumber along the centerline of the bridge, with some of the same on the bottom centerline area.
- Conformity to SUP – Good
- Recommendations- The deck is made up of 2”x10” lumber on end therefore even with some deterioration the deck is sound. This should be checked at each inspection.
- Inspected by: Councilman Gerald Pietraszek,

Charles McMicken
McMicken Motor Sports
10818 Crump Road

- Type of Special Use Permit – Motor Vehicle Sales
- General Appearance – Good
- Conformity to SUP – Yes
- Recommendations – None

Paul Cohn
8213 Center Street

- Type of Special Use Permit – Wind Turbine
- General Appearance – Good
- Conformity to SUP - Yes
- Recommendations – None
- Inspected by: CEO John Kotlarsz,

Keith VanLew
8207 Hayes Hollow Road

- Type of Special Use Permit – Shop/Mechanical Trade
- General Appearance – Good
- Conformity to SUP - Yes
- Recommendations – None
- Inspected by: CEO John Kotlarsz,

Approve Special Use Permits

MOTION made by Councilman Pietraszek and seconded by Supervisor DePasquale and unanimously approved the above Special Use Permits from September 30, 2020 to September 1, 2020, Councilman Hrycik abstained from Frank Hrycik's SUP for a Junkyard permit.

RESOLUTIONS

None

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that hunting licenses and DMP's are on sale, there was a slight problem in the beginning with the new computer software that the state was using for the sales they are working on the various problems.

Keith Warning changed the use of his building at 8834 State Road from a restaurant to 2 apartments downstairs there were already 2 apartments upstairs. There is also 3 apartments next door all of which are on one parcel with 5 refuse on the tax bill. Keith would have to add 2 more refuse collections but is asking that he remove the 2 that are upstairs to the former restaurant and use the dumpster that was already on the premises for the restaurant. Keith would have 3 refuse on the house apartments and a dumpster for the other building that houses four apartments which makes it a commercial building therefore able to use a dumpster instead of a residential use of garbage pickup.

Approve the Removal of Two Refuse at 8834 State Road

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approve the removal of two refuse at 8834 State Road and the reimbursement of the two refuse for September to December.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that 2021 budget request forms will be handed out to the town departments to fill out and return to the Supervisor’s office. With revenues down this year the Town Board will be moving cautiously to get a solid budget for next year.

PAY BILLS

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

General Fund Warrant Voucher #2020-232 to #2020-274	\$ 16,717.65
Highway Fund Abstract Voucher #2020-103 to #2020-115	\$ 9,989.53
Water District Voucher #2020-38 to #2020-45	\$100,567.74
Lighting District Voucher #2020-12 to #2020-13	\$ 1,128.01
Refuse Fund Voucher #2020-07	\$ 21,759.98
Community Development Abstract #2020-01	\$ 80.00

PRIVILEGE OF THE FLOOR

Nancy Palumbo went on record to say she opposes the approval of the Special Use Permit for Keith Van Lew, she stated that it should have never been granted and is not in compliance at the present time with the conditions of the permit. With the expansion of the building will it be subject to another SUP and Public Hearing.

Supervisor DePasquale stated that the permit stated that he would have a fenced an area behind the building to hide some parts out of sight with the addition to the building nothing will be kept outside and items would be out of sight and that would comply with the permit.

Nancy went on record saying she does not agree with that and also wanted to point out that what was stated last year was that everything was to kept inside the building and that is not what is happening and it is baffling to think someone went there and approved the inspection. Again Nancy stated that she is going on record to opposing the expansion and the approval of the Special Use Permit foe Keith Van Lew.

ADJOURN

MOTION made by Councilwoman Zurbrick and seconded by Supervisor DePasquale and unanimously adjourned the meeting at 8:02pm.

Respectfully submitted,

Christina M. Kerlin, Town Clerk