2021 Org. Mtg. and TB Mtg.

2021 ORGANIZATIONAL MEETING AND

REGULAR TOWN BOARD MEETING

COLDEN TOWN HALL – January 10, 2021

MEETING CALLED TO ORDER AT 6:06PM

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE FOR GERTRUDE GAST AND CHARLES NEWBOLD FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT: Councilman David Arcara

Councilman Jesse Hrycik

Councilwoman Patricia Zurbrick

Councilman Gerald Pietraszek

Supervisor James DePasquale

ALSO

PRESENT: Highway Superintendent Paul Clarkson

Bldg. Insp/Code Enf. Officer John Kotlarsz

Asst. Bldg. Insp/Fire Insp. Thomas Dzuilko

Town Clerk Christina Kerlin

Approximately 4 Residents

2021 ORGANIZATIONAL MEETING

Councilwoman Zurbrick read the following:

1. The elected Town Officials are salaried for the year 2021 as per budget as follows:

Supervisor James DePasquale $31,811.00

Budget Officer $2,585.00

$34,396.00

Council Members (4) Gerald Pietraszek $6,556.00

David Arcara $6,556.00

Patricia Zurbrick $6,556.00

Jesse Hrycik $6,556.00

$26,224.00

Town Clerk Christina Kerlin $44,494.00

Highway Clerk Typist $3,064.00

Vital Statistics $605.00

$48,163.00

Highway Superintendent Paul Clarkson $69,673.00

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Town Justice (2) Michael Schneider Sr. $13,192.00

Martin McMahon $13,192.00

$26,384.00

1. Highway employee's salaries for 2021 as per budget are as follows:

MEO $28.69 hr Motor Equipment Operators

MEO $43.02 hr Overtime

1. Deputy Highway Superintendent:

The deputy superintendent of highways will assume their duties during the absence or inability of the town superintendent of highways and be vested with all the powers and duties of the town superintendent as provided by law.

All town equipment such as keys, truck, phone, & pertinent information containing to the duties of the job (access to computer, etc.) will be turned over to the deputy in the superintendent absence.

The compensation for this position will be as follows: Regular pay $28.69 plus $5 extra per hour for a rate of $33.69 per hour & overtime rate of $43.02 plus $7.50 extra per hour for an overtime for a rate of $50.52 per hour. A minimum of 1 hour will be compensated for call outs, checking roads & etc.

1. 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 2021 at a flat fee of $12,000.00 general municipal legal services and $195.00 per hour for court municipal litigation. One (1) year term ending December 31, 2021.
2. RESOLVED THAT Brian Attea be appointed as Town Prosecutor at a rate of $120.00 per hour. Ryan F. McCann, Esq be appointed to Deputy Town Prosecutor at a rate of $120.00 per hour.
3. RESOLVED THAT Steven Lehman & Paul Sobkowiak be appointed Constables to the Justices for the year 2021. All constables to serve with compensation of $20.79 an hour

to be paid bi-weekly.

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Supervisor DePasquale read the following:

1. RESOLVED THAT Mark Adamchick be the Certified Public Accountant for the Town of Colden for the year 2021 a flat fee of $7200.00 per year for AUD and Budget preparations and $85.00 per hour for auditing books quarterly.
2. RESOLVED THAT Christina Kerlin be appointed as Highway Clerk Typist.

1. RESOLVED THAT Dawn Martin be retained as the Town Assessor at the rate of $19,500.00 per year.
2. RESOLVED THAT Town Clerk Kerlin appoints Deborah Jusiak as Deputy Town Clerk at an annual salary of $32,593.00.
3. RESOLVED THAT Supervisor DePasquale appoints Tammy Nuttle as

Secretary/Bookkeeper to the Supervisor at a salary of $32,593.00

1. RESOLVED THAT: Bernard Horschel be appointed as Dog Control/Dog Census Officer with a salary of $10,609.00 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 2021.

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.

1. RESOLVED THAT John Kotlarsz be appointed as Code Enforcement Officer in charge of Zoning & Enforcement with a salary of $14,914.00 yearly to be paid bi-weekly.

RESOLVED THAT Thomas Dzuilko be appointed to assistant Code Enforcement Officer/Fire Inspector regarding zoning, enforcement with the salary of $9,500,00 yearly to be paid bi-weekly.

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1. RESOLVED THAT Greg Adams be appointed Water Operator at a rate of

$23.18 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 $17.91 per hour to be paid bi-weekly.

RESOLVED THAT Ron Smith be appointed as Assistant Water Worker at an hourly rate of $13.84 per hour to be paid bi-weekly

1. RESOLVED THAT Kalei Brautlacht be appointed Town Grounds/Maintenance Worker at a rate of $20.00 per hour as needed with benefits. Employee to be paid at the first payroll following service rendered.
2. RESOLVED THAT Jaime Richards be appointed as Court Clerk with a wage of $17.91 per hour paid bi-weekly.

RESOLVED THAT Marie Falzone be appointed as Court Clerk Assistant/ Trainer with a salary of $17.91per hour paid bi-weekly.

RESOLVED THAT the Court Stenographer be appointed Court Stenographer with a wage of $110.00 for two hours worked and $65.00 for each additional hour to be paid contractually.

1. RESOLVED THAT Kip Palmateer be appointed as Recreation Supervisor at a yearly salary of $12,579.00 to be paid bi-weekly with no benefits.

RESOLVED THAT Tina Mary be appointed as Recreation Assistant Supervisor at a yearly salary of $6,290.00 to be paid bi-weekly with no benefits.

Councilman Hrycik read the following:

RESOLVED THAT Carrie DePasquale be appointed as Recreation Assistant Supervisor at a yearly salary of $5,701.00 to be paid bi-weekly with no benefits.

1. RESOLVED THAT Amy Brautlacht be hired as part-time cleaner for the Senior Center and Town Hall at a rate of $14.26 per hour.

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1. RESOLVED THAT Brian Sudyn be appointed as Disaster Coordinator and Paul Clarkson be appointed as Assistant Disaster Coordinator.

WAGES & SALARIES

RESOLVED THAT HOURLY EMPLOYEES will be paid the following salaries, commencing January 1, 2021 to be paid bi-weekly unless otherwise noted:

Skilled Laborers: $13.84 per hour

Recreation Workers: $12.50 per hour

Tennis Instructor: $16.88 per hour

Umpires & Referees: $12.50 per hour for Soccer and Baseball

$12.50 per hour for Floor Hockey

Board of Assessment Review $12.50 per hr. or $50.00 a day for school/review (whichever greater)

1. RESOLVED THAT USI Insurance Service be the insurance agent for the Town of Colden for the year of 2021.

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 for the year of “2021”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 October 7th and the November meeting be held on November 4th.

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 2021.

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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. 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 20th 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.

Councilman Pietraszek read the following:

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.

RESOLVED THAT Patricia Zurbrick be appointed as Deputy Town Supervisor and will act on behalf of the Supervisor in the event the Supervisor is absent.

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.

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

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

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

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.

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.

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

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.

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

RESOLVED THAT: Any official using his automobile on Town Business shall be reimbursed on the basis of $.575per 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.

RESOLVED THAT Meals on Wheels volunteers for the Town of Colden be reimbursed on the basis of $.575 per mile, upon submission of a duly executed voucher, stating the date(s) and number of miles.

1. RESOLVED THAT the Tax Collector & Town Clerk retain a petty cash fund of $100.00 each during 2021, Supervisor retain a petty cash fund of $200.00 during 2021, Water District Clerk retains a petty cash fund of $150.00.

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RESOLVED THAT the Town Clerk retain a petty cash fund of $100.00 during 2021 for collection of Water District Payments.

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.

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.

Supervisor DePasquale read the following:

1. NEXT ITEMS ARE APPOINTMENTS & COMMITTEES

I appoint Joseph Marren as Town Historian at the yearly salary of $788.00.

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 regarding 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 2021 appointed by the Supervisor:

Buildings Councilman Arcara

Code Enforcement Officer John Kotlarsz Community Development Councilwoman Zurbrick

Dogs Councilman Arcara

Environment Councilman Pietraszek

Highway & Parks Supt. Clarkson/Councilman Arcara

Insurance Councilman Arcara

Library Councilman Hrycik

Personnel & Training Coordinator Councilwoman Zurbrick

Planning Councilman Hrycik

Water District Councilman Pietraszek

Youth/Adult Recreation Councilwoman Zurbrick

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1. 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.
2. RESOLVED THAT Crystal Barrett be appointed as Secretary of the Board of Assessment Review, Planning, Environmental & Zoning with a wage of $17.91 per hour paid bi-weekly.
3. Planning Boards (7 – 7 Year Appointments)

Meets the 3rd Tuesday of each month @ 7 PM

Robert Walker December 31, 2024

Walter Kammer December 31, 2025

Jacqueline May December 31, 2026

Andrew Gow December 31, 2027

Frank Hrycik December 31, 2021

Peter Newsom December 31, 2022

George Reinhardt December 31, 2023

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

Craig Bouquin December 31, 2021

Deborah Pasco December 31, 2022

Linda Antkowiak December 31, 2022

Ellen Eigenbrod December 31, 2021

Deborah Jusiak December 31, 2021

1. Zoning Board (5 – 5 year Appointments)

Meets the 3rd Thursday of each month @ 7 PM as needed

Andrew Geist December 31, 2022 Bernie Horschel December 31, 2021

Janet Dillsworth December 31, 2025

Shawn Webster December 31, 2023

Mark Bus December 31, 2025

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1. Board of Assessment Review (5 – 5year Appointments) 4th Tuesday of May

Jill Masset September 30, 2022

Megan Jarecki September 30, 2025

Keith Van Lew September 30, 2024

John Pasco September 30, 2025

Craig Bouquin September 30, 2021

1. RESOLVED THAT all Department heads and Volunteer Board Chairman’s are to submit reports and requests to the Town Clerk within 72 hours prior to the monthly Town Board meeting. A representative from each department or board is encouraged to attend the monthly Town Board Meeting.

The following corrections will be made on the first page Item #2 should state “as per budget” not contract. Item #15 name should be “Kalei” not Kaylea.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik to approve the 2021 Organizational appointments.

On the Vote: Councilman David Arcara - yes

Councilman Jesse Hrycik - yes

Councilwoman Patricia Zurbrick - yes

Councilman Gerald Pietraszek - yes

Supervisor James DePasquale – yes

Supervisor Depasquale stated that review of the Town Board Books for the Supervisor/Bookkeeper, Town Clerk/Tax Collector and Town Justices will be by appointment for the Public.

Supervisor DePasquale reported on some of the end of the year Financial Report figures:

General Fund

Current Liabilities: 30,170.86

Capital Total 725,057.47

Highway Fund

Highway Liabilities: 30,880.72

Highway Fund Balance: 134,610.43

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The town was able to secure funding for a new plow truck this past year which you may have seen around town with the colors black and orange and is a solid plow truck for the town, and a new 1 ton will be purchased this upcoming year 2021. The year 2020 ended great financial and this year looking forward to improvements to the park along with new editions to the buildings and a hope that COVID restrictions are released for 2021.

REGULAR TOWN BOARD MEETING

MINUTES:

MOTION made by Councilman Pietraszek and seconded by Councilman Hrycik and unanimously approved the minutes for the Special Town Board meeting December 3, 2020, Regular Town Board meeting December 10, 2020 and the Special Town Board meeting December 30, 2020 as presented.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that he is looking forward to working with Highway Superintendent Clarkson and Kalei in the park this year. If anyone has any concerns with the town buildings to contact Councilman Arcara and he will look into the concern and address the problem.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of December 2020 – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were: 5 Building permits issued

12 Certificates of Compliance

2 Order to Remedy Violation

2 Court Appearance

3 Fire Inspection

2 Phone Complaints

CEO John Kotlarsz stated that with all the COVID restrictions in place having to do home inspections has been a challenge with residents not wanting people in their homes and also getting contractors to come back to jobs, but that they are working through it slowly.

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COMMUNITY DEVELOPMENT REPORT

Supervisor DePasquale stated that he received a proposal from GHD Consulting Services an engineering firm that would provide knowledge to projects in Town that require a more detailed look at infrastructure issues within the Town. The Town would not retain the firm but would pay them as needed on a project.

Approve GHD Consulting Services

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved for the Town to enter into an agreement with GHD Consulting Services for 2021 as needed.

DOG CONTROL OFFICER REPORT

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

-Call about a barking dog on Gutekunst Road, talked with owners.

-Two dogs running loose near KB.

-Call about a missing golden cat.

-A person called about a “stolen dog” referred them to the Sheriff’s department.

Report for 2020

-Received 350 calls for 2020

-Ten dogs picked up, 9 were returned and the one was taken to the SPCA, which was adopted out so that was good news.

-Ten appearance tickets written out for 2020

ENVIRONMENTAL BOARD REPORT

No report

HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that the highway department is in good shape barn has been refilled and all equipment is good. Kalei has started cleaning out the bay and has serviced the tractor and sharpening blades.

INSURANCE REPORT

Councilman Arcara reported that everything is up to date and preparing for a new year.

LIBRARY REPORT

Councilman Hrycik reported that the Boston Library has videos and craft’s that are available on their website.

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PERSONNEL & TRAINING REPORT

Councilwoman Zurbrick reported that Kalei Brautlacht has started her position as Town Grounds/Maintenance and welcomed her aboard.

PLANNING BOARD REPORT

No report

WATER REPORT

Councilman Pietraszek reported at the present time water consumption billed to ECWA for the prior month was 2,010,000 gallons at a cost of $3,950.26 + $261.38 =$4,211.64 expenditure.

Information was received from ECWA on infrastructure charge increase:

2020 cost was $261.38 per month $784.14 quarterly

2021 cost is $278.37 per month $835.11 quarterly

Increase of $ 16.99 per month $ 50.97 quarterly

Thus $50.97/ 216 customers = $0.24 quarterly increase to customer

Present infrastructure charge quarterly is $4.60 propose increase to $4.84 per customer

-Backflow preventers all checked and posted for the year

-Structure fire outside of water district used about 25,000 gallons of water. Town Board discussed the water usage for the fire and who is responsible for the ater usage.

-Following the Senior Center water issue, no extraneous water used since toilet turned off upstairs.

-Leaks are still being monitored by Water Operator Greg Adams

-Chlorine residuals are at 1.23 which are about right for this time of year.

Approve Water Infrastructure Charge Increase

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara to increase the infrastructure water charge from $4.60 per customer to $4.84 per customer,

Duly adopted this 10th day of January, 2021 by the following vote.

Vote: Councilman David Arcara - yes

Councilman Jesse Hryck – yes

Councilwoman Patricia Zurbrick – yes

Councilman Gerald Pietraszek – yes

Supervisor James P. DePasquale – yes

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YOUTH/ADULT RECREATION REPORT

Councilman Zurbrick reported that the holiday decorations will be taken down and if anyone would like to come and pick up their ornament that was placed on the town tree they can do so.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS

Supervisor DePasquale read the following resolution:

RESOLUTION PERTAINING TO SENIOR AND DISABILITY

EXEMPTIONS FOR REAL PROPERTY TAXES

TOWN OF COLDEN

RESOLUTION #2021 - 01

WHEREAS, Governor Andrew Cuomo issued Executive Order Number 202.83 which, among other things, gave local governments the ability to adopt a Resolution extending the senior exemption and the individual with disabilities and limited income exemption through 2021 without need for qualified individuals to file an application with the Assessor, and

WHEREAS, because many seniors and individuals with disabilities do not have the ability to file for their real property tax exemptions due to COVID-19 related safety precautions the Town Board believes it to be in its citizens best interests to adopt a Resolution extending the 2020 exemption status for such qualified individuals for the 2021 year, and

NOW, THEREFORE, be it

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RESOLVED, that the Town Assessor shall extend the 2020 exemption status for those individuals receiving the senior exemption and the persons with disabilities and limited income exemption through 2021 without a renewal application except in circumstances provided below; and be it further

RESOLVED, that the Town Assessor may require a renewal application if he or she believes a property owner who qualified in 2020 has since changed primary residence, added another owner to the Deed, transferred the property to a new owner or has died.

This Resolution shall take effect immediately.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik

Duly adopted this 10th day of January, 2021 by the following vote.

Vote: Councilman David Arcara - yes

Councilman Jesse Hryck – yes

Councilwoman Patricia Zurbrick – yes

Councilman Gerald Pietraszek – yes

Supervisor James P. DePasquale – yes

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that information was received from The Association of Towns for the upcoming 2021 Training School and Annual Meeting of the Association, which will be held virtually, February 14-17, 2021. Town Clerk office is preparing to send out the 2021 Town & County tax bills.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that it is a New Year and hopefully a better year, our town has maintained its safety and he commends the town residents as well as the town workers for their actions and acceptance of everything that has been going on. The businesses in town are trying to stay up and running. It has been nice to see residents out a little bit and following protocols with COVID.

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A letter was received from a resident about a past issue on a barking dog, Supervisor DePasquale stated that he will be speaking to the dog control officer regarding this matter.

Supervisor DePasqaule stated that after the vote to certify the president in Washington D.C. yesterday there was an incident that frightened not only him but the American citizens. The grounds that are sacred buildings are on that built America should not be condoned with violence. We must learn that people will have different opinions and we need to respect their opinion. God Bless America

PAY BILLS

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

General Fund Warrant Voucher #2020-415 to #2020-434 $39,220.71

Highway Fund Abstract Voucher #2020-188 to #2020-203 $46,848.66

Water District Voucher #2020-74 to #2020-79 $ 4,489.14

Lighting District Voucher #2020-21 $ 138.30

Refuse Fund Voucher #2020-13 $21,515.12

Community Development Voucher #2020-4 $57.975.52

General Fund Warrant Voucher #2021-01 to #2021-12 $39,560.20

Highway Fund Abstract Voucher #2021-01 to #2021-03 $ 3,471.76

Water District Voucher #2021-01 $ 19.90

PRIVILEGE OF THE FLOOR

Highway Superintendent Clarkson reported that the highway department is eligible for the COVID vaccine. Supervisor DePasquale stated that he would be able to have Jeff Ruminski help set up the paperwork on behalf of any town highway worker that would want to have the vaccine.

ADJOURN

MOTION made by Councilman Pietraszek and seconded by Councilman Hrycik and unanimously adjourned the meeting at 7:12pm.

Respectfully submitted,

Christina M. Kerlin

Town Clerk