

TB Mtg April 8, 2021
REGULAR TOWN BOARD MEETING
COLDEN TOWN HALL VIA – Go To Meeting

MEETING CALLED TO ORDER AT 7:03pm

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

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

ALSO

PRESENT: Bldg. Insp/Code Enf. Officer John Kotlarsz
Asst. Bldg. Insp/Fire Insp. Thomas Dzuilko
Town Clerk Christina Kerlin
Approximately 11 Residents via GoToMeeting

MINUTES:

MOTION made by Councilman Arcara and seconded by Councilwoman Hrycik and
unanimously approved the minutes of the March 11, 2021 Town Board Regular meeting as
presented.

REQUEST TO BE ON THE AGENDA

Jim Howe Chairman of the Colden Festival asked to be on the agenda looking for support from
the Town Board for the Colden Festival. This year the festival would follow any COVID
restrictions that might be in place and the event would be Saturday, September 11th, from 11am
to 5pm & Sunday, September 12th from 11am to 4pm.

The following requests were asked for from the committee:

- Town Hall and parking lot
- Senior Center Tables
- Veteran's Park
- Town Gazebo
- Constables (Daily and night watch)
- Port a Potty's and wash station
- Trash cans and bags from Waste Management
- Insurance (Reimbursement)
- Shuttle Service
- Historical Horse Drawn tours
- Financial Assistant

There was discussion on the requests along with what was provided in the past. Town Board will
revisit the requests from the Colden Festival Committee after costs are confirmed for the event.

CHANGE OF USE HEARING-Robert Grom, 10638 Holland Glenwood Road

Supervisor DePasquale stated that the following Change of Use is for Robert Grom at 10638 Holland Glenwood Road, for a pole barn to be built for storage of farm equipment. Variance requested is 108-36 Permitted Uses and Structures applies to the change of use. Mr. Grom will be leasing his property to John Kramer, storage for a tractor and equipment would be stored for the use of taking care of the property.

Building Inspector Report and Town Code Zoning 108-36

Letter of Intent and rough sketch of property indicating building and use of property.

Certificate of Zoning Compliance

Tax bill

Environmental Board Recommendation signed by Chairman Craig Bouquin in favor of the Change of Use

Planning Board Recommendation signed by Chairman Walter Kammer on behalf of the Town of Colden Planning Board In favor of the Change of Use

Form 239-M from Erie County Division of Planning stating if the only change is ownership, it does not fall under the mandated referral process.

SEQR form submitted and signed by Environmental Board Chairman Craig Bouquin on March 5, 2021 and that the proposed action will not result in any significant adverse environmental impacts. No negative impact.

Approve Part 3 – SEQR Form

Motion made by Councilman Hrycik and Seconded by Councilman Pietraszek and unanimously approved Part three of the SQER form signed by Supervisor DePasquale.

Approve Change of Use

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik to approve the Change of Use for Robert Grom at 10638 Holland Glenwood Road for a pole barn to be built and used for agricultural purposes.

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 Mr. Grom can meet with the building inspectors to fill out the proper paperwork for his pole barn. Mr. Grom “Thanked” the Town Board.

CHANGE OF USE HEARING-Christopher Sansone, 8826 State Road

Supervisor DePasquale stated that the following Change of Use is for 8826 State Road, Christopher Sansone is requesting a Change of Use for a single chair barbershop, retail space for (non-perishable goods) and wood working shop.

After starting the review of the Change of Use it was decided to table the matter for a later date. Mr. Sansone will need to provide the Town Board with properly designed drawings by a NYS Licensed Design Professional along with approval from the Erie County Health Department stating the upgrade of the septic system meets the required use for the building.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that he will meet with Highway Superintendent Clarkson to review what type of building and size is needed for the parks department. There was discussion on needed repairs to the salt barn.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of March 2021 – Asst. Bldg. Insp/Code Enf. Officer, Thomas Dzuilko reported that there were:

- 11 Building permits Issued
- 1 New Dwelling Permit
- 1 Building Permit Amended
- 22 Certificates of Compliance
- 2 Fire inspections
- 2 Phone Complaints
- 1 Building Permit Denied
- 6 Hours of School (Tom) 4 Hours of School (John)
- Planning Board meeting and 3 Change of Use

Supervisor DePasquale stated that several complaints have come in for residences on Crump Road that have junk vehicles and clutter and that they have been addressed before. Property owners should really have to show respect towards their neighbors when having such bad conditions and how it affects their neighbors. A resident that is complaining had their home appraised and came in \$15,000.00 lower because of the conditions of the neighbor's property. Discussion on possible looking to raise the fees and fines, and meeting with the Town Prosecutor and Judges and getting on the same page as to how to handle these offenses and clarifying the details in which a person files a complaint.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported that Bread of Life Outreach and Gabe's on the Hill are open:

Tuesday, 10am – 5pm

Wednesday, 2pm – 7pm

Thursday, 3pm – 6pm

Friday, 10am – 6pm

Saturday, 9am – 2pm

Farmers Market starts Saturday in May and runs through October from 9am – 1pm

Food Truck give away takes place the 4th Thursday of the month at the
Colden Fire Hall from 1:30 – 3:30

DOG CONTROL OFFICER REPORT

Councilman Arcara read the following DCO report for March 1, 2021 – March 31, 2021.

Dogs found running loose on Fairview Terrace, owners were found, and dogs reunited.

A missing dog was reported on Blanchard Road, dog returned on its own.

Report of barking dogs on Caroline Lane.

Report of loose dogs on Holland Glenwood Road, Hayes Hollow Road and State Road, dogs
either returned on their own or were unfounded.

A deceased dog found on Partridge Road.

Report of an aggressive dog on Hayes Hollow Road, turned out that it is neighbor dispute and the
Sheriff's department was called.

Dog Control Officer Bernie Horschel handed in his resignation as DCO effective June 1, 2021.

Advertise for the Position of Dog Control Officer

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and
unanimously approved to advertise for persons of interest for the position of Dog Control
Officer.

ENVIRONMENTAL BOARD REPORT

No report-No meeting

HIGHWAY REPORT & PARKS

Supervisor DePasquale reported that Highway Superintendent is on vacation this week.

Gravel Bid opening took place on April 5, 2021 at 10:00am, there were no bids received. The
town will go off the bids that were received in 2020 and continue to purchase material needed for
the good of the town with what the current prices are at this year.

Gravel Bid

MOTION made by Councilman Arcara and seconded by Councilman Pietraszek and unanimously approved to go off the bids that were received in 2020 and continue to purchase material needed for the good of the town with what the current prices are at this year.

The Highway department has been cleaning roads and tree debris that has come down over the winter. Parks department is sweeping the sidewalks and cleaning up after the winter snows.

INSURANCE REPORT

Councilman Arcara reported that a claim is being processed for one of the highway trucks that had an accident in the highway yard, there were no injuries. The truck sustained a couple thousands dollar damage when the loader caught the front end of the 1-ton truck the deductible is \$500.00 on the claim.

A meeting will be coming up in the future to discuss the current costs of health insurance rates.

LIBRARY REPORT

Councilman Hrycik reported that the West Falls Library is opening on a limited schedule check the library website.

Boston Library is offering Virtual Story Time check the library website for times and materials taken out are given extra time to view.

PERSONNEL & TRAINING REPORT

Councilwoman Zurbrick reported that DCO Bernie Horschel is resigning and “Thanked “him sincerely for all his work as DCO giving up of his time in the evenings and weekends.

Accept Resignation from DCO Bernes Horschel

MOTION made by Councilwoman Zurbrick and seconded by Supervisor DePasquale and unanimously approved to accept the resignation from DCO Bernie Horschel effective June 1, 2021.

PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board is working on the Change of Use for the Broadway Group – Dollar General.

A ZBA virtual meeting is coming on April 15, 2021 at 7pm to discuss the proposed parking spaces at the site of the Dollar General store.

WATER REPORT

Councilman Pietraszek reported at the present time water consumption billed to ECWA for the prior month was 1,716,000. gallons at a cost of \$4,804.00 + \$278.37 = \$5,083.17 expenditure.

- Water charge \$2.80/thousand
- Water leak found at 8448 State Road has since been repaired
- Greg is working on finding out if there are any other leaks in town
- Pit radios are reaching their battery end of life and are being replaced as needed

YOUTH/ADULT RECREATION REPORT

Councilwoman Zurbrick reported that the deadline to sign up for soccer has been extended to April 16th.

Would like approval to the following for soccer referees James Wohlheuter, Hannah Goetz and Ethan Hallett.

Approve Referees for Soccer

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved the following James Wohlheuter, Hannah Goetz and Ethan Hallett as referees for soccer.

Yoga for adults is starting on Wednesday April 14th at 7pm at the Senior Center-Sign up at Town Hall, No walk ins.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS

None

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that a request was made from Melanie Gelecky for the use of the Town Gazebo on August 20, 2021 at 2pm for a marriage ceremony.

Approve the use of Town Gazebo

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik and unanimously approved the request from Melaine Gelecky for the use of the Town Gazebo on August 20, 2021 at 2pm for a marriage ceremony.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that the Town Board will host a Public Comment Meeting Virtual and in person on April 22, 2021 with two sessions 3:00pm to 6:00pm and 7:00pm to 10:00pm on the proposed Dollar General pre-registration is required. The meeting will be held at the Colden Fire Hall and would be able to accommodate 70 people following COVID guidelines.

PAY BILLS

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

General Fund Warrant Voucher #2021 80 to #2021 -79	\$441,696.09
Highway Fund Abstract Voucher #2021-36 to #2021-52	\$ 19,190.47
Water District Voucher #2021-13 to #2021-18	\$ 5,577.12
Lighting District Voucher #2021-05 to #2021-06	\$ 1,428.54
Refuse Fund Voucher #2021-03	\$ 22,111.75

PRIVILEGE OF THE FLOOR

No comment

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:50pm.

Respectfully submitted,

Christina M. Kerlin
Town Clerk