

TB Mtg August 19, 2021
REGULAR TOWN BOARD MEETING
VIA – Go To Meeting at Colden Town Hall & Virtual

MEETING CALLED TO ORDER AT 7:01pm

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE FOR EUGENE HACKER 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: Planning Board Chairman Walt Kammer
Bldg. Insp/Code Enf. Officer John Kotlarsz
Asst. Bldg. Insp/Fire Insp. Thomas Dzuilko
Highway Superintendent Paul Clarkson
Rec Director Kip Palmateer
Town Clerk Christina Kerlin
Approximately 12 Residents

MINUTES:

MOTION made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved the minutes of the July 8, 2021, Town Board Workshop meeting and the July 8, 2021 Town Board Regular meeting as presented.

REQUEST TO BE ON THE AGENDA

Peter Baker – 8670 State Road

Peter Baker “Thanked” the Town Board for allowing him to speak tonight. Peter had some concerns with the Dollar General site work which he did address with Supervisor DePasquale, who did remedy the situation. Peter stated that for the purpose of peoples trust they are paying attention and watching that the site work is being followed by the letter of the conservation law as well as enforced and supervised. Peter expressed his thought on a potential moratorium being placed in town on commercial building, he also expressed a need for a non-profit group called Colden Advocates for Responsible Development to be organized to work with the Master Plan consultants and any other matters with the environment and future of their community. Supervisor DePasquale stated that the town does have the Environmental Board and Planning Board to help with matters with the town. With the update of the Master Plan the CPL consultants would reach out to the public for input through a mailing when the time comes.

William Cyrus Baker – Creek End Road

William had a question from the last meeting on several stipulations placed for the cleanliness and maintenance of the job site and who is responsible for checking the cleanliness and maintenance.

Supervisor DePasquale stated that the Code Enforcement Officers would be the ones responsible for the inspections and enforcement and of course during development of the property it would be ugly in the beginning. If they are not following the stipulations a report would be made to the town for the CEOs to inspect. As a follow up to the Colden Advocates group hopefully this would illicit the public to engage and bring their thoughts and concerns and matters that are going on in town to the Town Board.

Supervisor DePasquale stated that the Town Board is open to any concerns and responses that the public may have there are forms that can be filled out at the Town Hall. The website has phone numbers that members can be reached. The Town Supervisor himself has his phone forwarded to his cell phone if he is not at the office and gives out his cell number all the time if someone needs to contact him. The public has many ways to communicate to the Town Board and should not feel intimidated to reach out.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that there were 2 lengths of pipe stolen from the highway yard over the weekend of August 7th or 8th. The incident has been reported to the Erie County Sheriff's department.

Town Board discussed the purchase of security cameras for the highway department and placing them at Kummer Park.

Approve Quotes and Information on Surveillance Cameras

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved to obtain quotes and information for the purchase of surveillance cameras for the highway garage and Kummer Park.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of July 2021 – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

- 12 Building permits Issued
- 1 New Dwelling Permit Issued
- 7 Certificates of Compliance
- 1 Order to Remedy Violation
- 1 Court Appearance
- 3 Fire inspections
- 2 Phone Complaints
- 1 Building Permit Denied

Asst. CEO Tom Dzuilko reported that site work at 8680 State Road / Dollar General has begun, Tom has been in contact with the contractor on various questions and concerns as well as making sure that DEC permits are in place. As far as Zombie houses in Colden 2 homes have been taken off the list with around nine homes still being active.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported that the Colden Arts Festival will take place on September 11th and 12th. The PTA will hold a ceremony at 4pm behind the gazebo where they have designated a memorial garden and benches along with a sign that will be uncovered in memory of people from Colden Elementary School. The Colden Fire Company will hold a 911 Service up at Kummer Park a band will start at 5pm with a memorial service at 7:45 with fireworks to follow. An additional 12 snowflakes will be purchased for the Historical lights in the Hamlet. This is part of a phase to have all the historical lights with snowflakes throughout the Hamlet. Funding for the snowflakes was in this year's budget.

Bread of Life Outreach and Gabe's on the Hill Hours:

Tuesday, 10am – 5pm
Wednesday, 2pm – 7pm
Friday, 10am – 6pm
Saturday, 9am – 2pm

Food Pantry Hours:

Thursday, 3pm – 6pm
Saturday, 9am – 12pm

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 July 1, 2021 – July 31, 2021. Several calls about cats referred to SPCA. Calls from out-of-town residents referred them to the proper town. Barking complaints as well as dogs on the loose. A call received about a dog biting another dog which will be going to court.

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that the Environmental Board reviewed the SEQR form part 1 and part 2 for Benjamin Sayers at 9769-1 Partridge Road for a Solar Panel System.

HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that the parks are in good shape, Kalei is doing a great job.

Paul agreed that the camera system would be a great idea to have at the highway barns.

Culvert replacement is going on in Seneca Brook.

Salt Bid was received from Erie County at 37.52 a ton with a \$44.13 surcharge.

A deep culvert will need to be replaced on Heath Road. The road will be closed for a limited time while the culvert is being placed. The project will take place late September and the highway department will be using shared services with Erie County. The project will run around \$5,000.

The roof at the highway building will be assessed and the salt barn for wall repair.

INSURANCE REPORT

No report

LIBRARY REPORT

Councilman Hrycik reported that the Boston Free Library will be holding a concert on Thursday, August 26th at 6pm with the Panfil Brothers. West Falls Library will hold a NYS Pistol Training Class on September 11th, from 10am – 1pm. Cost is \$50 per person Call Cheryl to register at 716-222-4147.

PERSONNEL & TRAINING REPORT

Councilwoman Zurbrick reported that training has been completed for most employees and volunteers there are just a few stragglers that need to complete the training.

PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board has been working on the following items:

1. Colden's Clean Energy Community Grant award of \$5,000 was released to assist in the upgrade of all exterior and interior lighting at the Highway Department and the Town Hall was processed and the award was paid to Colden by NYSERDA in Albany as of today.
2. Also, the New York State Department of Agriculture and Markets (NYSDAM) awarded Colden \$25,000 to assist in the development and creation of Colden's first Agriculture and Farmland Protection Plan (AFPP). Those funds were sequestered by Albany after our kickoff meeting back in February 2020. But the funds were recently released, on 8/3/21, by Albany and the PB is coordinating with NYSDAM to execute the final grant documents; work on the AFPP is authorized as of 6August21 and that work is underway.

3. The Planning Board also submitted and was awarded a Grant of \$14,000 from the Erie County Department of Environment and Planning to assist in the funding of Ag-related work scope which is included in the Colden Comprehensive Plan contract with our consultant, CPL Architects, Engineers, and Planners. That work was confirmed and initiated during the 8/11/21 Special PB Meeting held in-person and virtually with the Consultants and interested parties. A representative of EC DEP and of the WNYLC attended.

During this period the Planning Board supported several referrals and requests from our partners in the Colden Code Enforcement Office and coordinated that dialog as appropriate for the Town's interests.

ALSO, during this period, the Planning Board members completed many relevant training courses and self-study webinars totaling approximately 27 hours of training.

WATER REPORT

Councilman Pietraszek reported at the present time water consumption billed to ECWA for the prior month was 1,667,000. gallons at a cost of \$4,667.60 + \$278.37 = \$4,945.97 expenditure.

- Water usage down 571,000gal since last month's spike
- Water Operator Greg Adams will be asking Highway Superintendent Paul Clarkson for some shared services to dig up at the park for a possible leak.
- Radio rebuilt kits arrived to resolve our 10yr battery life span. At present time we have 7 radios needed to swap out. New and rebuilt have been starting replacement.
- Minimal flushing at ends thus far.
- Talked with NYRWA, they tested Park leg and leg in front of Buffam house
- Working on new "in district" and "out of district" language for defining water hookup requests.
- Chlorine residuals are good.

YOUTH/ADULT RECREATION REPORT

Rec. Director Kip Palmateer reported that the summer program has finished, the kids had a great summer, with some in-house guests and activities.

OLD BUSINESS

None

NEW BUSINESS

Christopher J. Sansone – Change of Use 8826 State Road

Supervisor DePasquale stated that the Town Board reviewed the Change of Use application at the workshop prior to tonight’s meeting. Supervisor DePasquale asked if the Town Board had any questions or concerns with the Change of Use, response was “no questions”. Supervisor DePasquale asked Mr. Sansone if he understood all the stipulations that are with the Change of Use and phases that go along with the Change of Use to be completed by September 30, 2022. Mr. Sansone response was “yes, he understood.

Approve Change of Use – Christopher J. Sansone, 8826 State Road

MOTION made by Councilman Pietraszek and seconded by Councilwoman Zurbrick to approve the following Change of Use at 8826 State Road for a Barbershop under Phase 1 and that the development for Phase 2 will be completed by 9/30/22 with the Mercantile and Wood Shop.

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

RESOLUTIONS

None

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that New York State hunting license are on sale for the 2021-2022 season DMP tags are available until October 1, 2021.

Approve to Advertise SUP Hearings

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved to advertise for two SUP Hearings to be held on September 9, 2021 at 7:00pm, Benjamin Sayers at 9769-1 Partridge Road for a Solar Panel and NYSEG Tower extension at 9144 Center Street.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that a letter was received for a speed limit change on Center Road the letter was read into record and is on file in the Town Clerk’s office.

Approve Speed Study on Center Street

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved to have a Speed Study performed on Center Street between the Townline and Crump Road.

Supervisor DePasquale gave an update on the “America Rescue Money” and ways to spend the funds and the projects that qualify for the funds to be used for. The town will have two years to decide how to spend the money or they will have to return the funds. Prior authorization is needed as well on any project that is picked.

Budget request have been sent to all departments and the deadline to hand in your request is August 23rd.

PAY BILLS

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

General Fund Warrant Voucher #2021-260 to #2021 -314	\$ 29,696.33
Highway Fund Abstract Voucher #2021-100 to #2021-118	\$ 20,350.78
Water District Voucher #2021-41 to #2021-49	\$100,686.34
Lighting District Voucher #2021-12 to #2021-15	\$ 2,634.57
Refuse Fund Voucher #2021-07	\$ 21,457.12

PRIVILEGE OF THE FLOOR

Butch Hudson asked if there was anything the Town Board could do about the speed limit on State Road and the intersection sight line at the corner of Route 240 and Heath Road/Boston Colden Road intersection. There was discussion on car and motorcycle drivers that go way to fast on the roadways and the enforcement of the speed at which they are driving.

Approve Speed Study and Sightline at Intersection

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved for a speed study on State Road between Gutekunst Road and Park Street as well as a sightline study at the intersection of State Road, Heath Road and Boston Colden Road.

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:00pm.

Respectfully submitted,

Christina M. Kerlin
Town Clerk