

TB Mtg November 4, 2021  
REGULAR TOWN BOARD MEETING  
VIA – Go To Meeting at Colden Town Hall & Virtual

MEETING CALLED TO ORDER AT 7:04pm

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE IN MEMORY OF NANCY KINGMAN, WILLIAM SHAFFER, PAMALA HROBOCINSKI, KEVEN HAYES, AND HELEN CLARK 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 - excused  
Asst. Bldg. Insp/Fire Insp. Thomas Dzuilko  
Highway Superintendent Paul Clarkson  
Planning Board Chairman Walt Kammer  
Town Clerk Christina Kerlin  
Approximately 6 Residents

MINUTES:

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek and unanimously approved the minutes of the October 14, 2021, Town Board Regular meeting as presented.

PUBLIC HEARING:

PUBLIC HEARING 2022 Town Budget  
Public Hearing meeting opened at 7:06pm

Supervisor DePasquale stated that the 2022 Preliminary Town Budget has been available on the Town Website and at the Town Clerk's Office for review.

No Public Comments

The only update to the budget were changes on the retirement lines for the general fund and highway fund the new figures were just received.

Highway tax rate will be at 5.268 per \$1,000. and there will be no town tax rate for 2022.

Refuse rate per customer is \$206.02 and Water District customers debt service charge is \$480.47.

Supervisor DePasquale brought up possibly adding a position for PT summer help at the Town Park with the addition of a Disc Golf Course. Kayla does a great job but with the disc golf being added there may be a need to add a PT Summer helper with the newly acquired property. Town Board discussed the developing of the land and cost of equipment for a 9 hole or 18-hole Disc Golf course. After some discussion the Town Board will have the gentleman draw up plans and a description of a 9-hole and an 18-hole disc golf course and hold off on creating a part-time summer position at this time until there is a solid plan.

Supervisor DePasquale closed the Public Hearing at 7:24pm

Approval of 2022 Town Budget

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara to approve the 2022 Town of Budget,

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

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara asked Highway Superintendent Clarkson how the salt barn will be this year, he stated that it is still leaning and has not changed since he has been here so the building should be fine. Park bathrooms will be winterized soon.

CODE ENFORCEMENT OFFICER REPORT

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

7 Building permits Issued  
1 Certificate of Occupancy  
20 Certificates of Compliance  
1 Stop Work Order  
4 Fire inspections  
1 Order to Remedy  
4 Fire Inspections

Asst. CEO Thomas Dzuilko stated Dollar General is coming along and should be ready for stocking shelves by the end of next week. Final walk through should be taking place soon as well.

Building department has been working with Kloibers Junkyard on a placement of a dry hydrant up at their property on Darien Road after the fire at the garage.

Asst. CEO Tom Dzuilko stated that he reinspected the bridge at Buffalo Ski Club and he has talked with the engineer about the repairs and all are in compliance.

Approve SUP-Bridge/Buffalo Ski Club

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved the Bridge/Special Use Permit at Buffalo Ski Club.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported that the following:

7<sup>th</sup> Annual - Campout For Veterans

Mike Willibey, a disabled US Navy veteran will be camping at the Veterans Memorial Park next to the Town Hall starting Friday afternoon at 4pm till Sunday to raise awareness and money for PTSD and homeless veterans. There will be a parade and service Sunday at 11am, the parade will start at the Living Stone Masonic Lodge and go to the Veterans Memorial Park.

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

Tuesday, 10am – 5pm

Wednesday, 1pm – 5pm

Thursday, 3pm – 6pm

Friday, 3pm – 6pm

Saturday, 9am – 12pm

Food Pantry Hours:

Thursday, 3pm – 6pm

Saturday, 9am – 12pm

Mobile Food Truck

No truck Nov and Dec. Start back up in January.

Bread of Life Outreach Center presents “Christmas Tea and Fashion Show” Saturday, December 11<sup>th</sup> at the Colden Fire Hall. Doors open at 11:00am with the tea service starting at 11:30am. Tickets are \$30 and are available at Gabe's on the Hill.

#### DOG CONTROL OFFICER REPORT

Councilman Arcara read the following DCO report for October 1, 2021 – October 31, 2021.  
Several dogs running loose but were reunited with their owners shortly after missing.  
Call about a dead deer.

Report of dogs barking at a residence home for a long amount of time outside, made calls to owners and advised that they have respect for their neighbors and not leaving their dogs outside to bark for a long amount of time.

A report of a dog that keeps going on a neighbor's property to relieve itself. Tried to locate the owner of the dog need a more accurate description of the dog to reach out to the owner.

#### ENVIRONMENTAL BOARD REPORT

No report

#### HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that the fleet of trucks are up in running and ready for winter. The highway took a trial run on the roads. Working on shoulder repair, tree trimming and getting ready for winter.

Advertise Murray Hill Seasonal Closing and Snowplowing Across Roadways & Mailboxes  
MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved to advertise the following in the Springville Journal, Murray Hill Seasonal Closing, and Snowplowing Across Roadways & Mailbox Replacement.

The Western Star truck that was ordered has now been discontinued because of a parts shortage. The dealer will get back with some prices on a Freightliner truck, same kind of truck with a different chassis. Once more details become available Paul will bring it back to the Town Board for approval to purchase, the funding has already been approved.

#### INSURANCE REPORT

No report

#### LIBRARY REPORT

##### **West Falls/Colden Library has the following:**

Preschool Story Hour Thursday mornings from 10:30 to 11:30 for children 3 to 5 years of age at the West Falls Colden Library. Mrs Karen for age relevant story, activity, and a snack. Free and fun! Pre-register by calling the library at 652-5544 by Wednesday evening and leave a voicemail. Space is limited. Children, grandchildren, and kids you babysit are all welcome

##### **Boston Library has the following:**

Book Turkey Craft: Thursday, November 18th 5:00 PM - 6:00 PM Make your own book animals (turkeys are perfect for the Thanksgiving table centerpiece). Most designs can be repurposed as Christmas trees next month. All supplies provided to pre-registered attendees. All ages welcome. Call 716-941-3516 to register.

## PERSONNEL & TRAINING REPORT

No Report

## PLANNING BOARD REPORT

Councilman Hrycik reported the following Planning Board Actions:

\*10/15/21 – 10/18/21 – Coordination with Supervisor DePasquale, Code Enforcement, and NYSEG was executed to confirm that all permitting, and procedures are followed on the NYSEG replacement telemetry tower project on Center Rd north of Holland-Glenwood.

\*10/19/21 – Regular October Planning Board meeting, Comprehensive Plan Consultant (CPL) gave status update and initiated coordination for the initial session #1 of citizen input. It was determined that a joint public session for the Comprehensive Plan as well as the Agriculture and Farmland Protection Plan would be promoted and held. The venue will be the Fire Company facility north of the hamlet. {note1: The date of December 1st, 2021, at 6:30PM was subsequently established and Hall availability confirmed.} 10/20/21 – Coordinated with CEO and Supervisor regarding siding details on new construction at 8860 State Rd

\*10/27/21 – 11/1/21 – Coordination with the GoBike staff regarding Southern Tier Trail design review preparation and making arrangements for informational session on that topic for the Colden Segment of the larger STT initiative.

\*10/14/21 through 10/4/21– Coordinate with Town Consultants (CPL) on Comp Plan Presentation for the upcoming December 2021 Planning Board Monthly Meeting. Coordinate Agenda topics for the next interaction(s) on Comp Plan. Coordinate and refine ideas for joint Comp & AFPP Public Comment Meeting on December 1st, 2021.

\*10/14/21 through 11/4/21 – Coordinate with Town Consultants (WSS Planning) for Agriculture and Farmland Protection Plan Status updates and review of reports to date, establish presentations for next meeting(s) and agenda for same. Coordinate ideas for the public session to be held in conjunction with the Comp Plan on December 1st, 2021.

\*11/4/21 – Assist Supervisor for preparation of Virtual TB meeting.

\*11/4/21 – Attend November Town Board Meeting

## WATER REPORT

Councilman Pietraszek reported at the present time water consumption billed to ECWA for the prior month was 1,759,000. gallons at a cost of \$4,925.20 + \$278.37 = \$5,203.57 expenditure.

\*NYRWA was in, and retested the Park leg, and believe there are a number of questionable leaks, Sergi stopped and listened as well. Sergi Construction will be out the week of November 8<sup>th</sup> to repair main.

- \*Five reminder letters were sent about backflow tests
- Proposed increases are will:
- \*Minimum Quarterly charge 42.00 increase to 44.00
- \*Each additional 1,000 gallons or fraction thereof is 4.45 increase to 4.70
- \*ECWA infrastructure quarterly service charge 4.60 increased to 5.00
- \*Service line inspection 150.00 increase to 200.00

**TOWN OF COLDEN**  
**COLDEN N.Y. 14033**  
**RESOLUTION #2021-11**  
**RELEVY UNPAID WATER BILLS**

WHEREAS, The Town of Colden has 17 delinquent Water accounts in the amount of \$5,219.64, remaining unpaid, including late charges;

NOW THEREFORE, BE IT RESOLVED: That no further payments will be accepted after October 29, 2021, and any and all unpaid water accounts as of this date, be relevied onto the 2022 Town of Colden Property Taxes.

Duly adopted this 4<sup>th</sup> day of November, 2021, by the following vote.

Motion made by Councilman Arcara and seconded by Councilwoman Zurbrick:

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

**YOUTH/ADULT RECREATION REPORT**

Recreation Director Kip Palmateer reported that there will be an Adult Pottery class on November 17<sup>th</sup> and December 8<sup>th</sup>. The class is currently full. There are plans to have another class in the spring.

An Adult Christmas Craft night will be held on November 22<sup>nd</sup> at the Senior Center. Registration is open and the cost is \$15.

The Annual Christmas Ornament making, and tree lighting will be held on December 3<sup>rd</sup> at 6pm.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS

None

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that NYS DEC is offering a Free Fishing Day, November 11, 2021.

Town Clerk office will be closed Thursday November 11<sup>th</sup>, and Friday, November 12<sup>th</sup>.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that a postcard will be going out to all property owners in the Town of Colden regarding the Comprehensive Plan. The first informational meeting will be held for public input. The meeting will have a formal presentation on Town of Colden Comprehensive Plan Update and Agriculture and Farmland Protection Plan. After the presentation there will be different tables to visit on the various points discussed in the presentation. The meeting will be held at the Colden Fire Hall and a link will be provided for attending virtually.

A separate postcard will be sent out regarding upcoming events, openings on the various boards and info from the town.

PAY BILLS

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

General Fund Warrant Voucher #2021-392 to #2021 -419	\$ 12,641.88
Highway Fund Abstract Voucher #2021-149 to #2021-160	\$ 17,223.65
Water District Voucher #2021-63 to #2021-66	\$ 5,271.25
Lighting District Voucher #2021-19	\$ 192.44
Refuse Fund Voucher #2021-10	\$ 21,118.89

**PRIVILEGE OF THE FLOOR**

ZBA Member Bernie Horschel asked Supervisor DePasquale why he went up to a resident's house to look at a matter that was before the ZBA about a variance for the placement of a shed. Supervisor DePasquale stated that the resident called and wanted him to look at the situation she was having with her placement of the shed on her property. Supervisor DePasquale stated that when a resident calls him with a problem, he has every right to go to a resident's house if they are having a problem and they want to discuss the matter. The discussion continued with no real resolution in the end.

**ADJOURN**

MOTION made by Councilman Arcara and seconded by Councilwoman Zurbrick and unanimously adjourned the meeting at 8:06pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk