

2022 Org. Mtg. and TB Mtg.  
2022 ORGANIZATIONAL MEETING AND  
REGULAR TOWN BOARD MEETING  
COLDEN TOWN HALL – January 6, 2022

MEETING CALLED TO ORDER AT 6:07PM  
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
FOR MARGARET ORTEL, CHRISTOPHER LIEPLER, DAVID C. BARBARITZ AND  
DAVID WILLIAMS FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT: Councilman Dennis Robinson  
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

2022 ORGANIZATIONAL MEETING

Supervisor DePasquale read the following:

1. The elected Town Officials are salaried for the year 2022 as per budget as follows:

Supervisor	James Depasquale	<u>\$32,765.00</u>
		<b>\$32,765.00</b>
Budget Officer	Gerald Pietraszek	<b>\$2,663.00</b>
Council Members (4)	Gerald Pietraszek	\$6,753.00
	Patricia Zurbrick	\$6,753.00
	Jesse Hrycik	\$6,753.00
	Dennis Robinson	<u>\$6,753.00</u>
		<b>\$27,012.00</b>

Town Clerk	Christina Kerlin	\$45,829.00
	HWY Clerk Typist	\$3,156.00
	Vital Stats	<u>\$623.00</u>
		<b>\$49,608.00</b>
Highway Supt.	Paul Clarkson	<b>\$71,763.00</b>
Town Justice (2)	Michael Schneider	\$13,588.00
	Martin McMahan	<u>\$13,588.00</u>
		<b>\$27,176.00</b>

2. Highway employee's salaries for 2022 as per contract are as follows:

MEO	\$29.55 hr.	Motor Equipment Operators
MEO	\$44.31 hr.	Overtime

3. Deputy highway Superintendent of highways will assume his 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 deputy in the Superintendents absence.

The compensation for this position will be as follows: Regular pay \$29.55 plus \$5 extra per hour for a rate of \$34.55 per hour & overtime rate of \$44.31 plus \$7.50 extra per hour for an overtime rate of \$51.81 per hour. A minimum of 1 hour will be compensated for all call outs, checking roads & etc.

- 4. 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 2022 at a flat fee of **\$12,000.00** for general municipal legal services and \$195.00 per hour for court municipal litigation. One (1) year term ending December 31, 2022.
- 5. 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 **\$120.00**.
- 6. RESOLVED THAT **Steven Lehman & Paul Sobkowiak** be appointed Constables to the Justices for the year 2022. to be appointed as Assistant Constable when regular

Supervisor DePasquale read the following:

constables are not available. All constables to serve with compensation of **\$21.42** an hour to be paid bi-weekly.

7. RESOLVED THAT **Mark Adamchick** be the Certified Public Accountant for the Town of Colden for the year 2022 a flat fee of **\$7200.00** for AUD and Budget preparations and **\$85.00** per hour for auditing books quarterly.
8. RESOLVED THAT **Christina Kerlin** be appointed as Highway Account Clerk Typist.
9. RESOLVED THAT **Dawn Martin** be retained as the town assessor at the rate of **\$19,500.00** per year.
10. RESOLVED THAT Town Clerk **Kerlin** appoints **Deborah Jusiak** as Deputy Town Clerk at a salary of **\$33,579.00**.
11. RESOLVED THAT **Supervisor DePasquale** appoints **Tammy Nuttle** as Secretary/bookkeeper to the Supervisor at a salary of **\$33,579.00**.
12. RESOLVED THAT **Shannon Miller** be appointed as Dog Control/Dog Census Officer with a salary of **\$10,927.00** 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 maintained an accurate town wide dog census through the year 2022.

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.

13. 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 Dziulko** be appointed to assistant Code Enforcement Officer / Fire Inspector regarding zoning, enforcement with the salary of **\$14,914.00** yearly to be paid bi-weekly.

14. RESOLVED THAT **Greg Adams** be appointed Water Operator at a rate of **\$23.88** 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 **\$18.45** per hour to be paid bi-weekly.

RESOLVED THAT **Ron Smith** be appointed as Assistant Water Worker at an hourly rate of **\$17.00** per hour to be paid bi-weekly.

15. RESOLVED THAT **Kalei Brautlacht** be appointed to Town Grounds/Maintenance Worker at a rate of **\$20.60** per hour as needed with benefits. Employee to be paid at the first payroll following service rendered.

16. RESOLVED THAT **Jaime Richards** be appointed as court clerk with a wage of **\$18.45** per hour paid bi-weekly.

RESOLVED THAT **Marie Falzone** be appointed as Court Clerk Assistant/Trainer with a wage of **\$18.45** per hour paid bi-weekly.

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

17. RESOLVED THAT **Kip Palmateer** be appointed as Recreation Supervisor at a yearly salary of **\$12,956.00** to be paid bi-weekly with no benefits.

RESOLVED THAT **Tina Mary** be appointed as Recreation Assistant Supervisor at a yearly salary of **\$6,479.00** 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 **\$5,872.00** to be paid bi-weekly with no benefits.

18. RESOLVED THAT **Amy Brautlacht** be hired as part-time cleaner for the Senior Center and the Town Hall at a rate of **\$16.00** per hour.

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

**WAGES & SALARIES**

RESOLVED THAT HOURLY EMPLOYEES be paid the following salaries, commencing January 1, 2022 to be paid bi-weekly unless otherwise noted:

<b>Skilled Laborers:</b>	<b>\$17.00 per hour</b>
<b>Recreation Workers:</b>	<b>\$14.00 per hour</b>
<b>Tennis Instructor:</b>	<b>\$17.39 per hour</b>
<b>Umpires &amp; Referees:</b>	<b>\$14.00 per hour for Soccer and Baseball; \$14.00 Hockey for Floor Hockey</b>
<b>Board of Assessment Review (whichever greater)</b>	<b>\$13.20 per hr. or \$50.00 a day for school/review</b>

20. RESOLVED THAT **USI Insurance Service** be the insurance agent for the Town of Colden for the year of 2022.

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 “2022” 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 6<sup>th</sup> and the November meeting be held on November 3<sup>rd</sup> )

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 2022.

RESOLVED THAT **ALL BOARDS** 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 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 20<sup>th</sup> of each year

RESOLVED THAT warrants and abstract checks to be paid within terms of invoice or seven days of authorization.

RESOLVED THAT Bank of Holland be designated as the official depository for all Town of Colden funds.

Councilman Hrycik 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 is authorized to endorse checks and 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.

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 based on **\$.585** per 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 based on **\$.585** per mile, upon submission of a duly executed voucher, stating the date(s) and number of miles.

21. RESOLVED THAT the Tax Collector & Town Clerk retain a petty cash fund of **\$100.00** each during 2022, Supervisor retain a petty cash fund of **\$200.00** during 2022, Water District Clerk retains a petty cash fund of **\$150.00**.

RESOLVED THAT the Town Clerk retain a petty cash fund of **\$100.00** during 2022 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.

Supervisor DePasquale read the following:

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.

22. NEXT ITEMS ARE APPOINTMENTS & COMMITTEES

I appoint **Joseph Marron** as Town Historian at the yearly salary of **\$812.00**

I appoint **Dennis Robinson** 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 2022 appointed by the Supervisor:**

Buildings	Councilman <b>Robinson</b>
Code Enforcement	John Kotlarsz
Community Development	Councilman <b>Zurbrick</b>
Dogs	Councilman <b>Robinson</b>
Environment	Councilman <b>Pietraszek</b>
Highway & Parks	Superintendent <b>Clarkson/Councilman Robinson</b>
Insurance	Councilman <b>Robinson</b>
Library	Councilman <b>Hrycik</b>
Personnel & Training Coordinator	Councilman <b>Zurbrick</b>
Planning	Councilman <b>Hrycik</b>
Water District	Councilman <b>Pietraszek</b>
Youth/Adult Recreation	Councilman <b>Zurbrick</b>



23. 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.

24. RESOLVED THAT **Crystal Barrett** be appointed as Secretary of the Board of Assessment Review, Planning, Environmental & Zoning with a wage of **\$18.45** per hour paid bi-weekly.

**25. Planning Boards (7 – 7 Year Appointments)  
Meets the 3<sup>rd</sup> Tuesday of each month @ 7 PM**

Robert J. Walker	December 31, 2024
Walter Kammer	December 31, 2025
Andrew Gow	December 31, 2027
Cheryl Schenne	December 31, 2028
Peter Newsom	December 31, 2022
George Reinhardt	December 31, 2023
Jacqueline May	December 31, 2026

**26. Environmental Board (5 – 2 Year Appointments)  
Meets the 1<sup>st</sup> Tuesday of each month @ 7 PM**

Craig Bouguin	December 31, 2024
Deborah Pasco	December 31, 2022
Linda Antkowiak	December 31, 2023
Ellen Eigenbrod	December 31, 2025
Deborah Jusiak	December 31, 2026

Supervisor DePasquale read the following:

**27. Zoning Board (5 – 5-Year Appointments).  
Meets the 3<sup>rd</sup> Thursday of each month @ 7 PM**

Andrew Geist	December 31, 2022
Bernie Horschel	December 31, 2026
Alexander Keogan	December 31, 2025
Shawn Webster	December 31, 2023
Mark Bus	December 31, 2024

**28. Board of Assessment Review (5 – 5 Year Appointments) 4<sup>th</sup> Tuesday of May**

Jill Masset	September 30, 2023
Megan Jarecki	September 30, 2026
John Pasco	September 30, 2025
Keith Van Lew	September 30, 2024
Craig Bouquin	September 30, 2027

29. **RESOLVED THAT** all Department Heads and Volunteer Board Chairman's are to submit reports and/or requests to the Town Clerk within 72 hours prior to the monthly Town Board meeting. A representative from each department or board are encouraged to attend the monthly Town Board Meeting.

Supervisor DePasquale asked the Town Board if they had any questions. Response No.

Approve the Organizational Appointments for 2022

MOTION made by Councilman Pietraszek and seconded by Councilwoman Zurbrick to approve the 2022 Organizational appointments as read.

On the Vote: Councilman Dennis Robinson - yes  
Councilman Jesse Hrycik - yes  
Councilwoman Patricia Zurbrick - yes  
Councilman Gerald Pietraszek - yes  
Supervisor James DePasquale – yes

Organizational meeting adjourned at 6:30pm.

Recessed for review of the Town Board Books for the Supervisor/Bookkeeper, Town Clerk/Tax Collector and Town Justices

Supervisor DePasquale stated that the books are also available for review anytime during the year.

Meeting called back to order at 7:00pm.

REGULAR TOWN BOARD MEETING

MINUTES:

MOTION made by Councilman Hrycik and seconded by Councilman Robinson and unanimously approved the minutes for the Regular Town Board meeting held on December 9, 2021 as presented.

COMMITTEE REPORTS

BUILDING REPORT

No report

CODE ENFORCEMENT OFFICER REPORT

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

- 2 Building permits issued
- 19 Certificates of Compliance
- 1 First Notice of Violation
- 1 Order to Remedy Violation
- 1 Fire Inspection
- 2 Phone Complaints

2021 Building Permits

- 109 Building Permits Issued
- 3 New Homes Permit Issued
- 7 Certificates of Occupancy
- 179 Certificates of Compliance issued

Code Enforcement is working with Buffalo Ski Club on a project that they started without approval.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported that the following:

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

Service resumes January 27, 2022, starting at 1:30pm till gone at the Colden Fire Hall.

**DOG CONTROL OFFICER REPORT**

Councilman Robinson reported a few calls about missing dogs that returned on their own, also a dog that was found and united later with its owner.

**ENVIRONMENTAL BOARD REPORT**

No report

**HIGHWAY REPORT & PARKS**

Highway Superintendent Clarkson presented his “Agreement to Spend” to the Town Board.

Approve Agreement to Spend

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously approved to accept the “Agreement to Spend” in the amount of \$172,329. For the 2022 year.

Supervisor DePasquale stated that an email was sent out to the Town Board for the purchase of a new plow truck Highway Superintendent Clarkson received a new quote. The truck was approved last year except that after the order went in the company discontinued making the truck. After some searching for a new truck, one was found at Fleet Maintenance for a 2023 Freightliner 114SD Truck Cab & Chassis at a cost of \$145,760. Valley Fab costs are at \$109,896.01. Again, the truck was approved last year the email was sent out for official approval to order the truck so not to delay the order. The cost is \$6,000.00 less than the original truck order.

The park garage roof is completed and looks great no leaks have been noticed so that is good.

**INSURANCE REPORT**

Supervisor DePasquale will meet with Councilman Robinson to update him on the insurance policy.

#### LIBRARY REPORT

Councilman Hrycik reported that the West Falls Library will hold a “One Pot Cooking” on December 11<sup>th</sup>. Check out the library websites for new hours along with new items available for online take out.

#### PERSONNEL & TRAINING REPORT

No report

#### PLANNING BOARD REPORT

Councilman Hrycik reported that at the last meeting the Planning Board went over a Change of Use for a dog grooming business on State Road. Another Change of Use for a Tree Cutting business on vacant land that will still need to have some sorting out before coming to the Town Board.

#### WATER REPORT

Councilman Pietraszek reported that a letter was sent out to the water district customers on the upcoming price increase to the water billing and added Capital Surcharge for infrastructure repairs that are needed to keep the system viable.

#### YOUTH/ADULT RECREATION REPORT

Asst. Recreation Director Carrie DePasquale reported that Pottery Class was completed along with a Paint night, all had fun and more activities will be added for this year. There will be no floor hockey held this year.

#### OLD BUSINESS

None

#### NEW BUSINESS

None

#### RESOLUTIONS

None

#### BUDGET TRANSFERS

None

#### TOWN CLERK REPORT

Town Clerk Kerlin asked to advertise for a Public Hearing for a Dog Kennel permit for a residence on Irish Road. The woman has recently married, and she has three dogs, and her

husband has two dogs. If all paperwork is completed the Town Board would be able to hold a Public Hearing at the Thursday, February 10, 2022.

Approve Public Hearing- Dog Kennel Permit 8350 Irish Road

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved to hold a Public Hearing for a Dog Kennel permit for Nikki and Charles Kuznicki at 8350 Irish Road contingent on all paperwork submitted.

Town Board discussed procedures for a Special Use Permit for a Dog Kennel as well as a Dog Census taking place this year.

**SUPERVISOR’S REPORT**

Supervisor DePasquale reported that quotes are being obtained for resurfacing the basketball and tennis courts along with adding pickle ball.

Supervisor DePasquale wished everyone a “Happy New Year” and welcomed Dennis Robinson aboard as a new Councilmember for the Town of Colden.

Erie County Department of Health is supplying the Towns in Erie County with a limited number of COVID-19 Antigen Rapid Test and KN 95 Face Mask. Supervisor DePasquale will be setting up a time to hand out test kits and masks this coming weekend.

**PAY BILLS**

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

General Fund Warrant Voucher #2021-465 to #2021-493	\$ 22,638.86
Highway Fund Abstract Voucher #2021-178 to #2021-189	\$ 12,264.80
Water District Voucher #2021-75 to #2021-79	\$ 3,783.47
Lighting District Voucher #2021-23	\$ 299.31
Refuse Fund Voucher #2021-12	\$ 21,154.98
General Fund Warrant Voucher #2022-01 to #2022-16	\$ 79,163.44
Highway Fund Abstract Voucher #2022-01 to #2022-03	\$ 71,746.24
Water District Voucher #2022-01	\$ 20.24

**PRIVILEGE OF THE FLOOR**

Lara Hrycik asked why tonight's meeting started at 6:00pm and not 7:00pm. Supervisor DePasquale stated that the meeting was advertised for the Organizational meeting to start at 6:00pm with the Regular Town Board meeting to follow review of the town financial books. This has been past practice going back many, many years.

**ADJOURN**

MOTION made by Councilman Hrycik and seconded by Councilman Robinson and unanimously adjourned the meeting at 7:22pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk