

TB Mtg May 12, 2022
REGULAR TOWN BOARD MEETING
VIA – Go To Meeting at Colden Town Hall & Virtual

MEETING CALLED TO ORDER AT 7:10PM

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

PRESENT: Councilman Dennis Robinson
Councilman Jesse Hrycik
Councilwoman Patricia Zurbrick
Councilman Gerald Pietraszek
Supervisor James DePasquale

ALSO

PRESENT: Bldg. Insp/Code Enf. Officer John Kotlarsz
Bldg. Insp/Code Enf Officer Thomas Dzuilko
Planning Board Chairman Walter Kammer
Town Clerk Christina Kerlin
Approximately 7 Residents

REGULAR TOWN BOARD MEETING

MINUTES:

MOTION made by Councilman Robinson and seconded by Councilwoman Zurbrick and unanimously approved the minutes for the regular Town Board meeting held on March 10, 2022. Correction on Water Committee Report to reflect only Councilman Pietraszek and Water Operator Greg Adams attended a meeting with Town Attorney Ronald Bennett.

COMMITTEE REPORTS

BUILDING REPORT

Councilman Robinson reported that a bid opening for the 2022 CDBG Senior Center Furnace/HVAC project was held on April 15th with 2 (two) bids that came in.
-At the left front entrance to the Town Hall there is a Narcan Station set up if you do have to use it let Councilman Robinson or the Supervisor’s office know so that the station can be refilled.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of April 2022 – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

- 13 Building Permits Issued
- 1 New Dwelling
- 2 Certificates of Compliance
- 1 Court Appearance
- 2 Fire Inspection
- 4 Phone Complaints
- 27 Hours of Schooling

CEOs are still working on Jean Childs house on Lower East Hill to bring the property into compliance.

CEO Tom Dzuilko stated that he has been in contact with Johnny Yell the project manager for the Dollar General who said that the following will be completed in the next few weeks, landscaping and replacement of shrubs, the garbage enclosure reinforced and the company that cuts the lawn will be informed to cut the grass to the road.

Tom has also been working with Kait Lockhart on Zombie houses in the town, there are around 8 homes that are going through the process of getting photos and violations being sent to the property owners.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported that the following:

Storefront revitalization Program

Erie County has set aside monies to assist small business owners countywide grants up to \$40,000 for exterior building renovations to their commercial properties. Deadline to apply is June 16th.

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

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Mobile Food Truck

The mobile Food Truck has started back up and is every fourth Thursday of the month starting at 1:30pm at the Colden Fire Hall on Gutekunst Road.

BOLO will not be having a Farmers Market this year, plans are to have a theme day monthly on June 4th from 9am-1pm there is a Superhero Day - make a superhero cape and there will be refreshments to purchase.

Connect Life

Connect Life along with the Colden Fire Company will be holding blood drive June 12th more info to come at the May Town Board meeting

Seniors

Seniors will be meeting on May 24th at noon at the Senior Center
Bring yourself and a drink, and a meal will be provided free. RSVP by May 17th at 716 941-3237

Old Country Presents-Nashville Show Trip

Councilwoman Zurbrick stated for the record that David Kloiber has organized a Nashville Show trip 6 days and 5 nights Monday-Saturday, October 24-29 depart Colden at 8am, Cost is \$655.
Check the website for details on both trips.

DOG CONTROL OFFICER REPORT

Councilman Robinson reported that dog census form is complete, and the mailing will be going out soon and the return form is on an honor system from the resident. There was one court action that was postponed, 2 dog complaints were received.

Kennel inspections will be coming up Dennis will coordinate with Shannon on a day or days to complete the inspections.

Bags will be provided up at the park for any person needing one to clean up after their dog.

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that the Environmental Board reviewed a SEQR for Brody Hacker on Bleistein Road wanting to open an Auto Repair Shop.

Annual SUP inspections will take place on June 4, 2022, starting at 9:00am.

HIGHWAY REPORT & PARKS

Supervisor DePasquale reported that Highway Superintendent Clarkson came down ill today. Highway department finished paving over a crossover pipe on Heath Road with help from the Town of Boston and Holland highway departments.

Highway has been working in kind service to the parks to clear alongside the tennis court with ditching and new drainage being added the funding will be through the CARES Act.

Soccer fields have been marked and ready for play.

Supervisor DePasquale had parks employee Kalei Brautlacht put a padlock on the park dumpster. There has been a problem with a person or persons using the dumpster. There are 2 keys one is at the town hall to be obtained when needing the dumpster and the second one with Waste Management for pick-up of the trash.

For the record the town will have more control over the use of the dumpster, so persons are not using the dumpster for their own purposes.

Scott Kirby has been working on the Disc Golf course and using his own tractor to clear out where each basket will be placed. Highway department will assist when needed. Scott has supplied the town with his liability insurance. Scott has been using his own tractor to clear the areas for the baskets and providing his own fuel. The Town Board after discussion decided to provide fuel for the tractor use at the park, the highway will assist him in providing him fuel and the cost will come out of parks.

Quotes were received from the following for Disc Golf Baskets.

<u>Item</u>	<u>QTY</u>	<u>Price</u>	<u>Total</u>
<u>Innova Disc Golf</u>			
19 DISCatcher Pro 28	19	\$425.	\$8075
Extra Installation Sleeve	9	\$ 40.	\$ 360.
Freight			<u>\$ 720.</u>
			\$9155.
<u>Latitude 64 ProBasket</u>			
Elite Disc Golf Target	19	\$499.99	\$9499.81
<u>Dynamic Discs Veteran Basket</u>			
Disc Golf Target Red/White/Blue	19	\$499.99	\$9499.81
<u>DJA Baskets</u>			
	19	\$575.	\$10,439.

Approve the Purchase of Disc Golf Baskets

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson and unanimously approved the purchase of Disc Golf Baskets through the CARES Act Funding to go to the following:

Innova Disc Golf

19 DISCatcher Pro 28	19	\$425.	\$8075
Extra Installation Sleeve	9	\$ 40.	\$ 360.
Freight			<u>\$ 720.</u>
Total Cost			\$9155.

Approve Seasonal Summer Highway Employees

MOTION made by Councilman Hrycik and seconded by Councilwoman Zurbrick and unanimously approved the following Madison Nuttle and Joshua Jusiak at a rate of \$17.00 an hour for Seasonal Summer Employment at the Highway Department starting June 6th.

INSURANCE REPORT

Councilman Robinson reported that eligible employees were given information on the cost of health insurance and the cost that would be incurred by employees depending on the choice they make. Town Board met tonight at 6pm to review the increase in the insurance and determine what the town would provide and what employees would contribute to the insurance premium. The renewal for Health Insurance starts in September and after discussion the Town Board decided on a 10% percent contribution from eligible employees.

Approve Employee contribution to Health Insurance Cost Increase

MOTION made by Supervisor DePasquale and seconded by Councilman Robinson and unanimously approved for a 10% contribution from eligible employees on their health insurance based upon the increase only from 2022 through 2023 with a yearly review of the insurance cost.

LIBRARY REPORT

Councilman Hrycik reported that at the West Falls – Colden Community Library is offering One Pot Cooking, learn how to make delicious and easy one-pot meals. Call the library to register.

Boston Library is holding a fundraiser on Thursday, July 21st from 5-8 at the Boston Lions Shelter. They will have an Art/Craft market, Hot dogs, square dancing, kids activities.

Both libraries continue their various weekly and monthly activities check the library websites for updates.

PERSONNEL & TRAINING REPORT

Councilwoman Zurbrick reported that everyone should have received information on the yearly Comp Alliance training. Councilwoman Zurbrick will coordinate with Tammy to provide the highway department with a day of training for all highway employees.

PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board has been working on a lot of items. Coordinating with CPL on the Comp Plan and WWS with the Agricultural Farmland Protection Plan. As well as the survey for both being online and in the newsletter. Final recommendations for the Change of Use for Nardolillo Tree Service and site plan review for the SBA Tower/T-Mobile were completed and submitted to the Town Board.

Approve Addition to the Training Policy for the Planning Board, Environmental Board and Zoning Board of Appeals.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson and unanimously approved the addition to the training policy for the following Planning Board, Environmental Board and Zoning Board of Appeals. The Chairman’s of the above boards will line up mandatory training courses for their boards to attend after completing the recommended training course the member will provide the chairman with their certificate of completion. The certificate will be documented with the chairman and then provided to the Town Supervisor’s office for filing for their records.

WATER REPORT

Councilman Pietraszek reported that:

- At present time consumption billed by ECWA for prior month 1,145,000 gals. at a cost of \$3,412.10 + \$296=\$3,708.10 expenditure
- Dollar General has still not updated paperwork, bills continue to go The Broadway Group
- Water Operator Greg Adams continues to replace meters with new Neptune 900 v4 integrated units.
- Marcus from Neptune is looking into seeing if the Integrated V4 will splice together with the old meters to work with the newer ecoder or replace entire unit.
- Chlorine levels are good

Water department is going to reach out again to Erie County Water Authority about the meters on the hill. The graphs and readings do not add up. A meeting will be setup to go over their concerns.

Information was received for consumer protection on a Low-Income Water Assistance Program contact the water department for more information.

YOUTH/ADULT RECREATION REPORT

Asst. Recreation Director Carrie DePasquale reported that the soccer program is scheduled to start on May 17th.

Two field trips have been added to the recreation summer program:

YMCA Camp Tahigwa

June 24th

Bus pickup at Kummer Park 8:00am
Bus return at Kummer Park 3:30pm approx.
Fee is \$15 res. Non \$20.

Allegheny State Park

July 13th Rain date July 20th

Bus pickup at Kummer Park 8:00am
Bus return at Kummer Park 3:30pm approx.
Fee is Free for CSP kids, \$5 otherwise
Bring a bag lunch

Approve Summer Recreation Employees

MOTION made by Councilwoman Zurbrick and seconded by Supervisor DePasquale and unanimously approved the following employees for summer program at minimum wage James Wohlheuter, Brooke Sellers, Abigail Mary, Jacy Schelble, Mickayla Ruhland, Lauren Smith, Julius Ordinia and Sophia Domster.

OLD BUSINESS

2022 CDBG Bid Opening Senior Center Furnace/HVAC Project

Councilman Robin reported that the 2022 CDBG Senior Center Furnace/HVAC Project bids were opened on April 15th. To bids were received:

BELKNAP HEATING & COOLING	\$46,995.00
WILLETT BUILDERS	\$88,300.00

Bids were forwarded to Maria Thorton, Senior Planner at Erie County Planning & Environment for review the bids did exceed the limit and will still be awarded.

Approve 2022 CDBG Bid Senior Center Furnace/HVAC Project Motion made by Councilman Robinson and seconded by Councilwoman Zurbrick to award the 2022 CDBG Bid Senior Center Furnace/HVAC Project to Belknap Heating & Cooling at a cost of \$46,995.00.

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

Tennie Courts and Basketball Cleaning and Resurfacing

Supervisor DePasquale has obtained two quotes for the tennis courts and basketball court to be cleaned and resurfaced. He has made many attempts to obtain quotes from other business with no avail.

Signature Sport Surfaces	Total cost: \$24,500.00
JM Pro Courts & Surface Solutions	Total cost: \$38,00.00

(Full Quote descriptions attached)

Approve Tennie Courts and Basketball Cleaning and Resurfacing

MOTION made Councilman Pietraszek and seconded by Councilman Hrycik and unanimously approved Signature Sport Surfaces at a cost of \$24,500.00. The cost will be covered under CARES Act Funding.

NEW BUSINESS

Supervisor DePasquale stated that the Environmental Board and Planning Board have meet and reviewed the SEQR and site plan review for a Change of Use, Nardiliollo Tree Service on Phillips Road..

Part 1. Completed by the Environmental Board

Part 2. None or Small Impact to the questions

Part 3. Supervisor DePasquale read part 3 which was signed by Environmental Board Chairman Craig Bouquin, with no noted remarks.

Nardiliollo – SEQR Approval

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek for the approval of the Nardilillo Tree Business and that the proposed action will not result in any significant adverse environmental impacts. No negative impact and that Supervisor DePasquale will sign as the Lead Agency on behalf of the Town Board.

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

Town Board discussed the Planning Board recommendations and conditions for the Change of Use for Nardolillo Tree Service.

Town Board will table the Change of Use until next month at which time the Town Board will review the new written Change of Use conditions for the Nardolillo Tree Service.

RESOLUTIONS

Supervisor DePasquale read the following resolutions into record.

TOWN OF COLDEN
COLDEN N.Y. 14033
RESOLUTION #2022-04
10 NYCRR (NEW YORK CODES, RULES, AND REGULATIONS)
2.13 Isolation and Quarantine Procedures (Effective 4/22/2022)

WHEREAS, Despite the expiration of New York State’s Disaster Emergency on June 24, 2021, and the concurrent expiration of the extraordinary authority it granted to the Executive Branch to take measures to contain the spread of the COVID-19 virus, the Governor and the New York State Department of Health have continued to promulgate emergency regulations of far-reaching scope through the agency rulemaking process in violation of the NYS Administrative Procedure Act (“SAPA”), and

WHEREAS, bill A-416 entitled: “AN ACT to amend the public health law, in relation to the removal of cases, contacts and carriers of communicable diseases who are potentially dangerous to the public health” was proposed for several years in Assembly and failed to garner any support at all, and

WHEREAS, the New York State Department of Health took matters into their own hands, and adopted 10 NYCRR 2.13 *Isolation and Quarantine Procedures*, effective 4/22/2022, as an emergency regulation, **with the intent to make it permanent**, and

WHEREAS, emergency regulation 10 NYCRR 2.13 *Isolation and Quarantine Procedures (a4)* endows the Dept. of Health Commissioner with the power to force people diagnosed or *exposed to* a communicable disease to be removed from society (by isolation, quarantine, detention) into a “residential or temporary housing location that the public health authority issuing the order determines appropriate,” of which the location could be anywhere and that time frame could be any number of days, weeks, months or years, and

WHEREAS, emergency regulation 10 NYCRR 2.13 *Isolation and Quarantine Procedures (c2)* empowers the Dept. of Health Commissioner to monitor the person being forcibly held and coordinate with local law enforcement to ensure compliance, and

WHEREAS, emergency regulation 10 NYCRR 2.13 *Isolation and Quarantine Procedures (d)* empowers the Dept. of Health Commissioner to prevent a property owner from entering their property if it is being used as a quarantine facility location, and

WHEREAS, emergency regulation 10 NYCRR 2.13 *Isolation and Quarantine Procedures (f)* establishes civil and criminal penalties if the citizen violates the health authority’s order. Each day a separate infraction, and

WHEREAS, emergency regulation 10 NYCRR 2.13 *Isolation and Quarantine Procedures (g1)* every attending physician shall immediately, upon discovering a case or suspected case of a highly contagious reportable communicable disease, cause the patient to be appropriately isolated and contact the State Department of Health and the local health authority where the patient is isolated and, if different, the local health authority where the patient resides, and

WHEREAS, emergency regulation 10 NYCRR 2.13 *Isolation and Quarantine Procedures*, places the decision-making power into the hands of one person to decide the fate of 19 million New Yorkers as far as who can live their life freely and who can be pulled from the privacy of their home, workplace, school, etc. without notice and removed from society for an arbitrary and indefinite amount of time, in a location they are not allowed to choose, and that they are not allowed to leave until said person allows them to, and

WHEREAS, there are hundreds of studies that show that forced quarantines cause psychological, emotional, and physical harm including depression, anxiety, delayed medical exams, loss of jobs, loss of businesses etc., with the harm outweighing the benefit, and

WHEREAS the Town of Colden believes that the notion of government requiring individuals to isolate in temporary housing or a facility other than one’s home is like the COVID response we saw authoritarian regimes implement over past two years and not a requirement that should be implemented in a democracy that values due process and individual liberties, and

WHEREAS the Town of Colden believes that maintaining the doctrine of the Separation of Powers between the Legislative Branch and the Executive Branch is paramount in preserving a representative form of government, and

WHEREAS the Town of Colden believes if this illegal regulation is permitted to stand, it would signify a breakdown of the checks and balances that define our democratic form of government, and

WHEREAS the Town of Colden believes that with the height of the pandemic behind us, New Yorkers want the government overreach, tyrannical behavior and unchecked Executive powers that overshadowed the past two years to come to an end, and

NOW, THEREFORE BE IT RESOLVED, that the Town of Colden expresses its opposition to the requirements and intent of the NYS Department of Health regarding Emergency Regulation 10 NYCRR 2.13.

AND FURTHER BE IT RESOLVED, that copies of this resolution will be forwarded to the offices of the ECDOH, NYS Dept. of Health, and Governor Hochul.

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

TOWN OF COLDEN
COLDEN N.Y. 14033
RESOLUTION #2022-06

ERIE COUNTY 2022 – 2025
INTERMUNICIPAL SNOW REMOVAL
AND ICE CONTROL AGREEMENT

WHEREAS, at a Regular Town Board meeting of the Colden Town Board held on the 12th of May, 2022 the Town Board Authorized Supervisor James P DePasquale of the Town of Colden to sign, submit and execute an agreement with Erie County Department of Public Works relating to control of Snow and Ice on County Roads by the Town of Colden for 2022-2025. Under this agreement, the Town of Colden will receive for the 2022-2023 snow season rate has been set at \$4,693.86 per lane mile; the 2023-2024 snow season rate has been set at \$4,881.61 per lane mile; and the 2024-2025 snow season rate has been set at \$5,076.88 per lane mile.

RESOLVED, that the Town Clerk shall prepare two (2) certified copies of this Resolution for submission with the executed contracts.

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

**RESOLUTION #2022-05
 NEW YORK STATE RETIREMENT SYSTEM
 CERTIFICATION FOR HOURS WORKED**

BE IT RESOLVED, that the Town of Colden hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employee’s Retirement System based on the records of activities maintained and submitted these officials to the clerk of this body:

Title	Name	SS# Last 4 digits	Reg. Number	Standard Work Day	Term Begins/Ends	Participates in Employer’s Time Keeping System	Pay Frequency
Elected Officials							
Town Clerk	Christina Kerlin			6	1/1/20- 12/31/23	22.59	Bi- Weekly
Councilman	Jesse Hrycik			6	1/1/2022- 12/31/2022	Not Submitted	Bi- Weekly
Superintendent of Highways	Paul Clarkson			6	1/1/22- 12/31/25	29.73	Bi- Weekly
Justice	Michael Schneider			6	1/1/22- 12/31/22	11.06	Bi- Weekly
Appointed Officials							
Assessor	Dawn Martin			8	10/1/2019- 9/30/2024	5.66	Bi- Weekly
Code Enforcement	John Kotlarsz			8	1/1/22- 12/31/22	5.21	Bi- Weekly
Code Enforcement	Thomas Dzuilko			8	1/1/22- 12/31/22	7.5	Bi- Weekly
Recreation Director	Kip Palmateer			8	1/1/22- 12/31/22	5.83	Bi- Weekly
Asst. Rec. Director	Tina Mary			8	1/1/22- 12/31/22	Not Submitted	Bi- Weekly
Asst. Rec. Director	Carrie DePasquale			8	1/1/22- 12/31/22	3.99	Bi- Weekly

And Be It Resolved, that for retirement reporting purposes a six-hour day shall be designated a standard workday for regular full-time and an 8 hour day for part-time.

On this 12th Day of May, 2022,

_____ Date enacted: May 12, 2022

Town Clerk

On the Vote: Councilman Dennis Robinson - yes
 Councilman Jesse Hrycik – 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 the Town Board should have received a packet for a Special Use Permit for Brody Hacker on Bleistein Road to open an Auto Repair Shop.
 A packet for SBA/Verizon Co Location Tower at 7414 State Road.

SUPERVISOR'S REPORT

Supervisor DePasquale reported that the newsletter went out to residents with information from town departments along with a survey to complete on the Comprehensive Plan update and Farm Protection Plan.

A faulty sidewalk was brought to the attention of the Town Board and after talking with the Town Attorney it was determined that the town must take responsibility of ownership of the sidewalks. Quotes will be obtained to replace the sidewalks from the Colden Elementary School to the bridge and determine if there are on other hazardous sidewalk areas in town to be replaced.

Memorial Day Parade will take place Monday, May 30th. Line up will be at Kummer Park at 8:15am parade to start at 8:30am precede down to the Veterans Park next to the Town Hall for a ceremony and afterwards refreshments will be served at the Senior Center.

PAY BILLS

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

General Fund Warrant Voucher #2022-142 to #2022-183	\$ 27,600.08
Highway Fund Abstract Voucher #2022-48 to #2022-64	\$ 20,968.27
Water District Voucher #2022-17 to #2022-21	\$ 4,517.19
Lighting District Voucher #2022-06 to #2022-07	\$ 1,531.03
Refuse District Voucher #2022-04	\$ 25,046.66

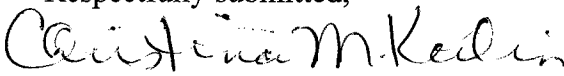
PRIVILEGE OF THE FLOOR

Joan Montgomery asked what was going on up at the NYSEG Tower on Center Street. Supervisor DePasquale stated that the tower was taken down and will be replaced with a new tower that will be 360 feet. The process was approved and went through a site plan review with the Environmental Board and Planning Board neighbors within 500ft. were notified of the project along with Town Board approval. The buildings and code enforcement officers have been monitoring and inspecting the project as it moves along.

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:40pm.

Respectfully submitted,



Christina M. Kerlin
Town Clerk

1879 Whitehaven Road Suite 1040
 Grand Island NY 14072
 Phone: (305) 510-4478
 Email: signaturesportsurfaces@gmail.com

DATE: 4/16/2022

TO: Town Of Colden
 Kummer Park
 8602 Park Street
 14033

DESCRIPTION	AMOUNT
<p>Complete repair and resurfacing of two Tennis Courts and Basketball</p> <ol style="list-style-type: none"> 1) Pressure wash entire area. 15,400 square feet. 2) Repair all low areas and 80 linear feet surface cracks. Sand and level all Repairs. Install Riteway crack repair system to cracks. 3) Repaint Tennis net posts. 4) Apply one heavy coat of Acrylic Resurfacer. 5) Apply Two coats of Acrylic Color in any combination of colors. 7) Layout tape seal and paint Tennis court lines and Basketball lines and Pickelball. 8) Install two Edwards premium Tennis nets. 	<p>\$24,500.00</p>

We Propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:

SUBTOTAL	\$24,500.00
TAX RATE	EXEMPT
SALES TAX	\$
TOTAL	\$24,500.00

PAYMENT IS TO BE MADE IN FULL AT COMPLETION OF JOB.

ACCEPTANCE OF PROPOSAL – The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. A 50% deposit for materials is required to schedule **Work.**

DATE:

SIGNATURE



P.O. BOX 645
 CLARENCE NY, 14031
 (716) 343 1498
john@improcourts.com

AUTHORIZED INSTALLER
SportMaster[®]
 SPORT SURFACES

DATE: 5/11/21

PRO COURTS & SURFACE SOLUTIONS

Attn: James DePasquale james.depasquale@townofcolden.com
 8812 State Rd
 Colden NY Phone: (716)474-0579

BASKETBALL	FULL SIZE	50% /50%	TBD
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Thoroughly clean entire surface by pressure washing. (JM Surface Solutions uses the Honda GX630 Vehicle Mounted and a 28" Big Guy walk behind Surface Cleaner. These units produce hot water and are equipped with a rotating high-pressure washing head capable of producing 4,000 PSI) Facility or homeowner is responsible for providing a water source.

- 1) Air blow and clean all bituminous surfaces.
 Repair and patch all cracks using SportMaster 100% Acrylic trowel grade Crack Patch on cracks larger than 1/2" wide and for cracks up to 1/2" wide, repair using Sportmaster 100% Acrylic Elastometric Courtflex Sealant (All Sportmaster crack repair systems are designed to mask surface cracks existing at the time of repair. Future expansion and contraction of the asphalt surface may affect the components of these repairs and could result in new cracks. No warranty is expressed or implied for repairs made using the SportMaster Repair System.
 Patching of low spots using SportMaster Acrylic Liquid Patch Binder.
 - 4) (Patching will reduce ponding but will not eliminate bird baths or light depressions)
- \$ 7,500.00

Resurfacing

Resurface courts using 100% acrylic emulsion coating system

- 1) Install one coat of SportMaster Acrylic Resurfacer fortified with 60 mesh angular sand to all 3 courts.
 - 2) Install two coats of SportMaster Acrylic color coating system fortified with 80 mesh rounded sand to entire area:
 One court will be converted into 2 pickleball fields and the main tennis court will also be kept as a usable tennis court. Blue pickleball, Green Tennis Field, Red perimeter.
 - 3) will also be kept as a usable tennis court. Blue pickleball, Green Tennis Field, Red perimeter.
 - 4) One Basketball court will be resurfaced with 2 color options
 - 5) Layout, mask and paint basketball lines, tennis lines & pickleball lines.
 - 6) Seal court using Premium SportWax Clear Coat upon completion
 - 7) Thoroughly clean general work area
- \$ 30,500.00

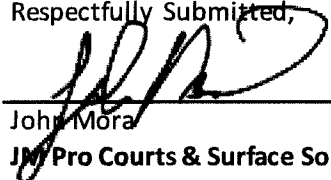
Standard Provisions And Exclusions

- 1 This proposal cannot be honored until a signed copy of the proposal is received at our office or in person and may be withdrawn if not accepted within 30 days of the proposal date. This proposal is to become part of any contract awarded to JM Pro Courts. Please note that all work not specifically described in this proposal is excluded from our scope.
- 2 Any costs associated with the obtaining of permits, bonds, special fees, and licenses are not included unless specifically addressed in the text of this bid. We are not responsible for any penalties resulting from failure to obtain such paper work. Upon request we will pick up and pay for any of the above and will invoice for our costs.
- 3 JM Pro Courts cannot guarantee against cracking on any resurfaced area and existing asphalt or concrete.
- 4 In situations with less than 1% pitch, JM Pro Courts cannot guarantee that there will not be puddling, low spots or depressions.
- 5 Unless specified elsewhere we are not responsible for concrete/asphalt testing, caulking, or cold weather protection. No warranty / guarantee on resurfacing if treated with rock salt or other de-icers. No guarantee against cracks, peeling, discoloration or any acts of God.
- 6 JM Pro Courts warranties all work for a period of one year from the date of completion. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. All agreements contingent upon strikes, accidents or delays beyond our control. JM Pro Courts is fully covered by General Liability and Workmen's Compensation Insurance.
- 7 JM Pro Courts is not responsible for replacing or repairing landscaping that may be damaged from our equipment, vehicles or paint runoff that is not due to negligence or irresponsible acts.

This Job Was Bid As Capital Improvement

SUBTOTAL	\$ 38,000.00
SALES TAX	Tax Included on Materials
TOTAL	\$ 38,000.00

Respectfully Submitted,



 John Mora
 JM Pro Courts & Surface Solutions

Accepted by,

James Depasquale
 8812 State Rd





JIM Pro Courts & Surface Solutions

P.O. BOX 645

CLARENCE NY, 14031

(716) 343 1498

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PRO COURTS & SURFACE SOLUTIONS

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