

CTB Mtg May 11, 2023
REGULAR TOWN BOARD MEETING
COLDEN TOWN HALL – May 11, 2023

MEETING CALLED TO ORDER AT 7:08PM
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE
FOR JOHN TOTH, FLOYD ENGLER, LINDA EASTON, LAWRENCE SPARCENO AND
BETTY THOMAS, 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 Lee Wohlheuter
Bldg. Insp/ John Kotlarsz
Bldg. Insp/Fire Insp. Thomas Dzuilko
Planning Board Chairman Walter Kammer
Town Clerk Christina Kerlin
Approximately 2 Residents

REGULAR TOWN BOARD MEETING

MINUTES:

MOTION made by Councilman Pietraszek and seconded by Councilman Robinson and
unanimously approved the minutes for the Regular Town Board meeting held on Thursday, April
13, at 7:00pm at the Colden Town Hall.

OLD BUSINESS

8769 Lower East Hill Road – Order to Remedy

Supervisor DePasquale stated back in March 2022 the Colden Fire company received a call
about a floor collapsing in at 8769 Lower East Hill Road. Building Inspector sent an Order to
Remedy which received no response back from the owner of the property. Supervisor
DePasquale contacted Town Attorney Ron Bennett, who drafted a memorandum outlining the
path the town can take to foreclose on the property which is inhabitable and unsafe. First the
building inspectors will send a report to the Town Board and to the owner of the property
describing the timeline of events that have happened at that property. Next a notice will be sent
to the property owner giving them 30 days to respond to the notice. A hearing will be held with
the Town Board and if there is refusal or neglect with the notice the Town Board will authorize
to demolish and have the structure removed. Contact has been made with the father of the
property owner who stated that he does not know where she is and that the husband is deceased.

So will begin the process with the CEO's sending her a notice to remedy and placing one on the structure.

A complaint was received on 4/24/23 which stated that the front door was open and they were concerned about security at the house. Building inspectors have since boarded up the front door.

NEW BUSINESS

1. Memorial Day Service Update

Supervisor DePasquale reported that the Memorial Day Parade will take place on May 29th, line up at 8:15am with the parade to start at 8:30am, there will be refreshments served after the parade at the Senior Center with donuts this year from Arcade Market.

2. Completion of Disc Golf Course in Kummer Park

Supervisor DePasquale stated that the Town Board met with Scott Kirby prior to tonight's meeting and discussed where the Disc Golf course stands now. The first nine baskets are in, and the T-Pads will be started once completed he will start on the next nine.

3. Update to Town Procurement Policy

Supervisor DePasquale asked the Town Board to look over the procurement policy to see if there are any changes to be made to the policy.

4. Update of Town Personnel Policy

Supervisor DePasquale asked the Town Board to look over the Personnel Policy, there are some changes that will be needed to be made on insurance, sick days will probably be revisited and if there is anything else that needs to be corrected.

Town Clerk Kerlin asked if Town employees would be having Juneteenth off this year, there have been some employees inquiring about the day considering it is a federal holiday.

Approve Juneteenth Holiday

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved to observe the Juneteenth holiday and town employees will be granted the day off.

5. Review of Grant Writer

Supervisor DePasquale brought up a proposal for a grant writer he has spoken to many surrounding towns on who they use for grant writing. Many of the towns use Rotella for grant management and have had great results. The cost for the service would be \$1,800.00 a month, the company would get paid within the grant if the town were awarded a grant. Councilman Pietraszek will meet with the grant writers as well to see if there are any grants to extend the water district.

Approve Grant Writer

MOTION made by Supervisor DePasquale and seconded by Councilman Robinson and unanimously approved Rotella Grant Management as the towns grant writer at a cost of \$1,800.00 a month for the remainder of the year and renewed on a yearly basis if needed.

COMMITTEE REPORT

BUILDING REPORT

No report

CODE ENFORCEMENT OFFICER REPORT

Report for the month of April 2023 – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

8 Building Permits Issued
4 Certificates of Compliance
1 Court Appearance
2 Fire Inspection
3 Hours of School
3 Phone Complaints

1 Building Reported to Town Board as Unsafe
1 Building Permit Denied

Bldg. Insp/Code Enf. Officer, Tom Dzuilko reported that a complaint was received about a house on Bleistein Road the owner has passed away. The sister is aware of the need for the property to be cleaned up, she has just gone through her sister passing and now has had another family member pass. The CEO, s will give her a bit of time and then pursue her with the clean up.

COMMUNITY DEVELOPMENT REPORT

Councilwoman Zurbrick reported the following:

Mother's Day Bar B Que, being held at the Colden Fire Company on State Road, Sunday, May 14th starting at 11am, the cost is \$15.00. Dine In or Take Out

Free Lunch

BOLO holds a free lunch once month, check the website for details.

Feed More Mobile Food Truck Feed More Food Truck Giveaway is available the 4th Thursday of the month, starting at 1:30pm till gone at the Colden Fire Hall. Residents will receive a variety of fresh fruits and vegetables along with non-perishable food items.

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

Memorial Day Parade will take place on May 29th, line up at 8:15am at Kummer Park with the parade to start at 8:30am, there will be refreshments served after the parade at the Senior Center.

July Fourth Celebration will take place on July 1st more info to come.

DOG CONTROL OFFICER REPORT

Councilman Robinson reported that Shannon had a busy month with several dog complaints. There was an incident with neighbor's dogs fighting and one dog being close to being euthanized, the neighbors did work it out and all is well. Calls about dogs being lost in several neighboring towns which were all reunited.

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that the Environmental Board reviewed three SEQR's at their past meeting. The following were reviewed Co-Location for Verizon on Center Street, Bruce Mohney on Lewis Road for an excavation/site work for shop, welding, fabrication, and equipment repair, and Jeff Gerde State Road converting church into a single-family home.

HIGHWAY REPORT & PARKS

Highway Superintendent Wohlhueter reported that roads are being broomed in preparation for road work. "CHIPS" funding was increased the town will receive \$115,215.68; the town also received the second payment from Erie County for winter plowing.

New fuel system should be up and running next week.

Park bathrooms are now open at Kummer Park.

Supervisor DePasquale read the following Resolution:

RESOLUTION AUTHORIZING TO MODIFY THE FISCAL YEAR
2023 HIGHWAY BUDGET

WHEREAS, During the 2023 Budget preparation the Town Board anticipated bonding for 4 pieces of Highway equipment to be ordered. After reviewing the cost of paying back the proposed bonds the Town Board agreed to Self-Fund the Highway equipment with loans from the General Fund, fund balance.

WHEREAS, after reviewing the first invoice for a 2023 Freightliner 114SD which is due to be delivered soon with the final payment of \$149,560.00 due. The payment will be as follows:

1. The sum of \$40,000.00 which was allocated if needed to balance the 2022 Highway Fund will be transferred from the General Fund balance to DA5130.2 of the Highway Funds
2. The sum of 59,560.00 will be transferred from the General Fund balance to DA5130.2 as a Due to Due from with repayment to the General Fund in the 2024 Fiscal year.
3. The remaining balance of \$50,000.00 paid with funds allocated in the 2023 Highway Budget line DA5130.2 for Equipment.

NOW, THEREFORE, be it RESOLVED, the Modification to add \$99,560.00 to the 2023 Highway Budget line DA5130.2 with repayment of \$59,560.00 to the General fund balance on March 20, 2024.

RESOLVED, the Town Clerk record this resolution as Town Record.

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek,

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

INSURANCE REPORT

No report

LIBRARY REPORT

Councilman Hrycik reported that the West Falls Library will hold be holding a CPR class, and Embroidery class.

Boston Library has Preschool Story Hour going on, Battle of Books and their Annual Fundraising event will be coming up.

Check out the libraries Facebook page for events and happenings.

West Falls Library Hours

Monday 6pm – 8pm

Tuesday 2pm – 4pm

Wednesday 6pm – 8pm

Thursday 10am – Noon (Story Hour 10:30am)

Friday 10am - Noon

Boston Library Hours

Monday 10am – 7pm

Tuesday 12pm – 8pm

Wednesday Closed

Thursday 10am – 7pm

Friday 12pm – 5pm

Saturday 10am – 2pm

PERSONNEL & TRAINING REPORT

No report

PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board did not meet for their regular meeting, but they did attend the third public meeting & workshop for the Town Comprehensive Plan Update and Farmland Protection Plan. Held on Tuesday April 25th from 6:00 – 8:00pm

WATER REPORT

Councilman Pietraszek reported that at the present time consumption billed by Erie County Water Authority for the prior month is 1,303,000 gallons at a cost of \$4352.02 + \$332.04 = \$4684.06 expenditure.

*ECWA water cost \$3.59/Thousand

*Williamson Law is still working on the payment posting the issue within the program, the system is recording the data in sewer ledger and not water ledger.

*New single main meter is working well. Tracking usage is much easier and data logging it is simple and accurate. Can see daily usage thru out the day.

- *Greg has started replacing old meters with new T-10 data loggers. Plan is to have all replaced in 3 years.
- *Greg has setup bulk water sales at Town garage.
- *Water report has been sent out water district customers and filed with DOH and ECWA.
- *Residuals are good and staying in range

YOUTH/ADULT RECREATION REPORT

Supervisor DePasquale reported that Yoga has started, along with the soccer program. Pottery had their second class, and everyone enjoyed the class. Refreshment stand has opened as well up at Kummer Park.

Town Board discussed the need to add more handicap accessible parking spots up at the park, highway will check into getting signs and placing them.

RESOLUTION

None

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Town Clerk Kerlin reported that the Town Board has received information for the following 2 Change of Use Bruce Mohny on Lewis Road for a excavation/site work for shop, welding, fabrication, and equipment repair. Jeff Gerde State Road converting church into single family home.

Annual Training courses at Houghton College will take place on Thursday, June 8th, information will be emailed to all departments that are eligible to attend with a date of May 24th to have forms returned to Deputy Town Clerk Jusaik for processing.

Annual SUP inspections and Dog Kennel inspections are coming up for the following month, CEO's John Kotlarsz and Tom Dzuilko, Planning Board Chairman Walt Kammer and Councilman Pietraszek decided on June 3rd for the SUP inspections. Town Clerk Kerlin will notify the SUP holders of the date of inspection. Councilman Robinson will coordinate a time with DCO Shannon Miller for the Dog Kennel inspections.

SUPERVISOR'S REPORT

Supervisor DePasquale reported that Engineer John Schenne has worked with the town in the past and has done a great job and is highly recommended by other towns. With that said he would like to make a motion to retain John Schenne as the Towns Engineer at a cost of \$125.00 an hour as needed. With the following projects coming up this year for the highway garage roof and securing the salt barn.

Appointment of Schenne and Associates as the Town Engineer for the Remainder of the Year”2023”

MOTION made by Supervisor DePasquale and seconded by Councilman Robinson and unanimously approved to appoint John Schenne from “Schenne and Associates” as the Towns Engineer at a cost of \$125.00 an hour as needed for the remainder of the year.

Mark Wolfling stopped into see Supervisor DePasquale regarding a resolution he would like to bring forward about an Election Audit for the past 2022 General Election. Mark will be at the June meeting to address the Town Board on this resolution.

Complaints Received

First was received from 2 residents on Lewis Road about trash that was dumped in their yard from a neighbor, this matter is not for the Town Board but advised them to contact Law Enforcement on the trash dumping.

Second one was from a resident on Phillips Road about Nards Tree Service parking their work vehicles at their residence and not at the shop property as was stated in their Change of Use. Building inspector spoke with Mr Nardillo on this matter and reminded him of the stipulations granted in the Change of Use. He stated he dropped off wood chips and did not move truck for a few days while he was gone.

PAY BILLS

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

General Fund Warrant Voucher #2023-146 to #2023-193	\$ 27,613.35
Highway Fund Abstract Voucher #2023-65 to #2023-84	\$161,340.75
Water District Voucher #2023-18 to #2023-20	\$ 4,909.03
Lighting District Voucher #2023-06 to #2023-07	\$ 1,666.27
Refuse Fund Voucher #2023-04	\$ 26,749.42

PRIVILEGE OF THE FLOOR

Supervisor DePasquale stated for the record that he hopes that all town employees and residents come out for the Memorial Day Service it will take place on Monday, May 29th, line up at 8:15am at Kummer Park with the parade to start at 8:30am. There will be refreshments served after the parade and service at the Senior Center, this year the donuts will be from Arcade Market.

Also, for the July Fourth concert and fireworks display that will take place on July 1st, a postcard will be coming out with more information on the Fourth of July celebration and summer concert series.

ADJOURN

MOTION made by Councilwoman Zurbrick and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:42pm.

Respectfully submitted,

Christina M. Kerlin
Town Clerk