

MEETING CALLED TO ORDER AT 7:01 pm
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE
IN MEMORY OF DAVID BIETH FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT

Councilman Dennis Robinson
Councilman Jesse Hrycik - excused at 7:45pm
Councilman Patricia Zurbrick
Councilman Gerald Pietraszek
Supervisor James DePasquale

ALSO PRESENT

Highway Superintendent Lee Wohlhueter
CEO John Kotlarsz
CEO Tom Dziulko
Recreation Director Kip Palmateer
Town Accountant Mark Adamchick
Deputy Town Clerk Deborah Jusiak
Sue Clapp from Aurora Adult Care Services
Max Borsuk Springville Journal Editor
Approximately 3 residents

REGULAR TOWN BOARD MEETING

MINUTES:

MOTION made by Councilwoman Zurbrick, seconded by Councilman Robinson, and
unanimously approved by the Town Board members to approve the minutes from the Regular
Town Board Meeting held on October 12, 2023

REQUEST TO BE ON THE AGENDA

Sue Clapp from Aurora Adult Day Services in East Aurora came before the board to ask if the
Colden Senior Center could be used as a site for additional adult care services. She described her
current program in East Aurora as providing care and activities to individuals who have
cognitive or physical impairments while also providing a break to their caregivers. Grant money
is available for qualified seniors.

The Town Board had questions about staffing, anticipated hours and days of operation, weather-
related closings, emergency exits and site requirements. Resident Jody Feidt spoke in support of
the program from her personal experience. The Board discussed a possible need for a site
inspection prior to beginning the program. Sue replied that Erie County performs a review of the
program's services and her program targets individuals who can function in a group setting and
do not need a high level of individual care. CEO Dziulko stated that a fire inspection was
completed on the building in April. Sue Clapp stated that the program carries its own insurance
and proof will be supplied to the Town. Supervisor DePasquale stated that the subject will be
revisited at the December Board Meeting.

OLD BUSINESS

No Report

NEW BUSINESS

No Report

PUBLIC HEARING

2024 Preliminary Budget Hearing

Supervisor DePasquale and discussed changes to the 2024 Preliminary Budget. The Town's refuse count increased to 1454 units, increases of \$1,000 were made to each the General Fund - A9010.8 and Highway Fund - DA9010.8 retirement lines, the insurance line - A1910.4 was increased to \$41,000 and the budgets for the Colden Fire District and Aurora West Falls Fire District were received.

Supervisor DePasquale opened the Public Hearing at 7:43. One resident questioned whether the Town shopped around for insurance. Supervisor DePasquale replied that the increases are due to the replacement of new vehicles, but all insurances are taking a hit, and Colden has fewer claims than other towns.

MOTION made by Councilman Hrycik and Councilman Robinson seconded and unanimously approved that the Public Hearing be closed. The Public Hearing was closed at 7:45.

Approval of 2024 Town Budget

MOTION made by Councilman Robinson and seconded by Council Hrycik and unanimously voted to approve the 2024 Budget as noted. Councilman Hrycik was excused for the remainder of the meeting for personal reasons.

Roll Call to accept the 2024 Preliminary Budget as noted:

On the Vote: Councilman Robinson - Aye
Councilman Hrycik - excused
Councilwoman Zurbrick - Aye
Councilman Pietraszek - Aye
Supervisor DePasquale – Aye

COMMITTEE REPORTS

BUILDING REPORT

Councilman Robinson spoke about a CDBG opportunity for a Senior Center Generator. He met with a generator company representative, Highway Superintendent Wohlhueter, and Parks Employee Brautlacht at the Senior Center to assess the building's generator requirements. He stated the generator will need 60 kw to provide sufficient power to the building and elevator. CEO Kotlarsz suggested contacting the gas company to ensure the existing line can support the required size generator. Councilman Robinson will follow up with the gas company. Councilman Robinson has a site meeting with the Highway Superintendent Wohlhueter, Parks Employee

Brautlacht and the CDBG recommendation committee scheduled for Thursday, 12:30 pm
November 16, 2023.

CODE ENFORCEMENT OFFICE REPORT

Report for the month of October 2023 – CEO Kotlarsz read the following report:

9 Building Permits Issued
1 Certificate of Occupancy
10 Certificates of Compliance
1 First Notice of Violation
3 Fire Inspection
24 Hours of School John Kotlarsz
1 Phone Complaint
1 Building Reported to Town Board as Unsafe

CEOs Kotlarsz and Dziulko also gave updates of the following:

The property owner of 8253 Boston Colden Rd was cited for an unsafe structure and a ballpark quote for the demo the building was supplied to the Board. The Board discussed concerns about 2 dead trees in the backyard of the house. CEO Dziulko stated that he will issue an appearance ticket for court next week. Supervisor DePasquale suggested a court constable deliver the appearance ticket in addition to mailing the notices.

The CEOs discussed ownership and conditions of the houses at 9441 Darien Rd, 7009 State Rd and 8176 Irish Rd. National Fuel is involved with a resident on Darien Rd whose accumulation of items is preventing the gas company from accessing its ROW.

A Stop Work Order was issued for construction on a storage container structure located on Darien Rd. Attempts to contact the structure's owner have been unsuccessful so far.
A home in poor condition located on Hayes Hollow Rd is for sale and is posted as unsafe to enter. The real estate agent is aware that entry into the home is not allowed.

COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported the following:

Free Lunch

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

Feed More Mobile Food Truck

The Food Truck Giveaway will not take place in November and December due to the holidays.

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

Tuesday, 10am – 4pm

Wednesday, 10am – 4pm

Thursday, 2pm – 5pm

Friday, 10am – 4pm

Saturday, 9am – 2pm

Food Pantry Hours:

Thursday, 3pm – 5pm
Saturday, 9am – 11am

Councilwoman Zurbrick stated that registration for a 6-week yoga class through Colden's Adult Recreation is underway. The class will be held on Wednesdays at 7:00 pm from December 6th through January 10th and the class fee is \$65, the Town's Tree Lighting and professional caroling will take place on December 8th at 7:00 pm, and a combined Holiday Party between the Colden Fire Company and Colden Recreation Department begins at 5:00 pm on Saturday, December 9th with a visit from Mr. and Mrs. Claus scheduled for 6:00 pm.

DOG CONTROL OFFICER REPORT

Councilman Robinson took possession of a loose Belgian Malinois found by a resident. The dog was eventually returned to its owner.

Councilman Robinson read the following Dog Control report from DCO Shannon Miller:
On October 9 at 8:30 pm a resident called about her dog getting out and asked if she received any information about it. She did not but would follow up if she did. On October 13th at 6:56 am a resident left a message about a loose dog on Hayes Hollow Rd. The DCO's returned call did not receive a response. On October 20th at 6:19 pm a resident left a message about a dog on his property. The DCO's returned call did not receive a response. On October 28th at 1:04 pm a resident called about an abandoned cat. DCO Miller provided him with some phone numbers.

Councilman Robinson stated that a dog is currently in custody with the Holland DCO for evaluation, and he will have more information at December's meeting.

Councilman Robinson received a letter of resignation from DCO Miller effective January 15, 2024.

MOTION made by Councilwoman Zurbrick with regret and Supervisor DePasquale seconded and unanimously approved to accept the resignation letter from DCO Miller.

Supervisor DePasquale stated that the position will be advertised shortly, interviews scheduled, and the position appointed at the January Meeting. Councilwoman Zurbrick requested the DCO provide an inventory of items that need to be turned over to the Town.

ENVIRONMENTAL BOARD REPORT

No Report

HIGHWAY AND PARKS REPORT

Superintendent Wohlhueter reported the following:

All frontline plow trucks are ready to go, the crew is currently working to make the spare plow trucks operable if needed, road mowing has been completed, a final \$11,246.40 submission for CHIPS reimbursement has been applied for and is expected around December 14th, a meeting to discuss winter weather procedures with the Springville Bus Garage is scheduled for November 17th.

Parks Report - Superintendent Wohlhueter stated that the Parks bathrooms have been winterized and the sidewalk snowblower is ready for winter.

INSURANCE REPORT

No Report

LIBRARY REPORT

Councilwoman Zurbrick reported that the Boston Library is closed Friday November 10th and Saturday November 11th for Veteran's Day Weekend.

PERSONNEL REPORT

Councilwoman Zurbrick stated the Deputy Town Clerk position has been filled and asked if the new hire could begin training at the current hourly rate or accumulate comp time. After discussion, the Board determined the new deputy town clerk could begin training for up to 70 hours after being appointed at the December Town Board Meeting.

MOTION made by Councilwoman Zurbrick and Councilman Robinson seconded and unanimously approved to allow the new Deputy Town Clerk up to 70 hours of training after being appointed at the December Town Board Meeting.

PLANNING REPORT

No Report

WATER DISTRICT REPORT

Councilman Pietraszek read the following report. At the present time consumption billed by Erie County Water Authority for the prior month is 1,455,000 gallons at a cost of \$4,859.70 + \$332.04 = \$5191.74 expenditure.

*ECWA water cost \$3.57/Thousand

*Neptune moving to cloud app start of 2024. Price planned into the 2024 budget; agreement signed for change in 2024 after February billing. Neptune 360 to run on android Tab A.

*Continue to rebuild meters as we replace radios with T-10 radios.

*Relevy letters were sent to 33 accounts, some were paid. Relevied 19 accounts with a cost of \$4934.45.

Clorine residuals are reading well.

RECREATION REPORT

Recreation Director Palmateer read the following report. The Ga Ga Ball pit has arrived and is in storage until spring. Adult Recreation will be holding a self Defense Class on November 29 from 6:30 - 8:00 pm at the Colden Senior Center for a cost of \$10. A 6-week yoga session will start in December. The Recreation Department and Colden Fire Co will hold a Holiday event on December 9th. The Town Recreation Department will have tree lighting and a professional caroling event on Friday, December 8th at 7:00 pm. Parks Employee Brautlacht is preparing the lighted snowflakes and lighted deer.

RESOLUTIONS

Supervisor DePasquale read the following Resolutions into record:

**TOWN OF COLDEN
COLDEN N.Y. 14033
RESOLUTION #2023-16
RELEVY UNPAID WATER BILLS**

WHEREAS, The Town of Colden has 19 delinquent Water accounts in the amount of \$4,934.45, remaining unpaid, including late charges.

NOW THEREFORE, BE IT RESOLVED: That no further payments will be accepted after October 30, 2023, and any and all unpaid water accounts as of this date, be relieved onto the 2024 Town of Colden Property Taxes.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson.

Duly adopted this 9th day of November 2023 by the following vote.

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

**TOWN OF COLDEN
COLDEN N.Y. 14033
RESOLUTION #2023-17
RELEVY DEMOLITION COST FOR UNSAFE BUILDING
AT 8769 LOWER EAST HILL ROAD**

WHEREAS, Jean Childs the owner of 8769 Lower East Hill Road located within the Town of Colden failed to comply with building code violations accessed by the Town of Colden Code Enforcement Officer

WHEREAS, the property located at 8769 Lower East Hill Road, Town of Colden, after a Public Hearing on Town of Colden Code Chapter 31 was deemed an unsafe building and was demolished at a cost of \$21,515.00

NOW THEREFORE, BE IT RESOLVED: That the cost of the demolition for the unsafe building at 8769 Lower East Hill Road at a cost of \$21,515.00 will be relieved on the 2024 Town of Colden Property Taxes.

MOTION made by Councilman Pietraszek and seconded by Councilman Robinson.

Duly adopted this 9th day of November 2023 by the following vote.

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

BUDGET TRANSFERS

None

TOWN CLERK REPORT

Deputy Town Clerk Jusiak reported that Local Law #2 - Tax Cap Override was filed with NYS on October 23, 2023.

SUPERVISOR’S REPORT

Supervisor DePasquale proposed a town-wide shredding day to be held on Saturday, April 13, 2024 at the Colden Fire Station #1 on State Rd. The event would cost \$341/per hour and would last for four hours. The first hour would be for the disposal of unneeded Town documents, and the final 3 hours would be open to residents. A Town of Colden ID would be required. The Town Board members discussed their support of the event and the need for public awareness of the event. Supervisor DePasquale will reserve the date and work on creating a postcard to notify residents.

The Supervisor stated that the 2023 mileage rate paid to Town of Colden employees and volunteers was discovered to be below the rate set by NYS. An increase of 3 cents per mile is needed to raise the Town’s rate to the current NYS rate of 65.5 cents. The Town Board discussed issuing retroactive mileage increases by voucher. Councilwoman Zurbrick discussed the need to notify employees about vouchering expenses every two months instead of requesting it all at the end of the year. A notice will be put into the paychecks.

PAY BILLS

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

General Fund Warrant Voucher	2023-434 to 2023-475	\$21,023.18
Highway Fund Abstract Voucher	2023-180 to 2023-204	\$38,003.17
Water District Voucher	2023-55 to 2023-61	\$5,714.51
Lighting District Voucher	2023-18 to 2023-19	\$2,267.20
Refuse Fund Voucher	2023-10	\$26,176.70
Cares Act Voucher	2023-12	\$2,910.69

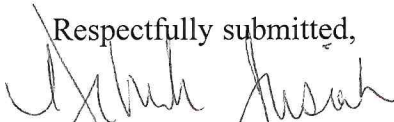
PRIVILEGE OF THE FLOOR

A resident thanked Editor Max Borsuk for the article on Erie County Rails to Trails in Springville Journal. The resident had a conversation with an ECRTT representative in her back yard about safety, trail access, parking, and privacy issues. The Town Board will take her concerns into consideration if/when the trail moves forward.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson to adjourn meeting. Motion carried and

MEETING ADJOURNED AT 8:48PM

Respectfully submitted,



Deborah Jusiak
Deputy Town Clerk