

REGULAR TOWN BOARD MEETING CALLED TO ORDER AT 7:02 pm

THE SUPERVISOR OPENED THE MEETING WITH A MOMENT OF SILENCE IN
MEMORY OF MATTHEW POUTHIER AND IRENE PIWOWARCZYK

FOLLOWED BY THE PLEDGE OF ALLIEGIANCE

PRESENT

Councilman Dennis Robinson
Councilman Jesse Hrycik
Councilwoman Patricia Zurbrick - excused
Councilman Gerald Pietraszek - excused
Supervisor James DePasquale

ALSO PRESENT

Highway Superintendent Lee Wohlhueter
CEO Tom Dziulko
DCO Michelle Zak
Planning Board Chairman Walt Kammer
Environmental Board Member Paul Idzik
Town Clerk Deborah Jusiak
Springville Journal Editor Max Borsuk
Kim Peck from Senator Gallivan's Office

Supervisor DePasquale introduced Kim Peck, a representative from Senator Gallivan's office, to all those present and thanked her for coming to the meeting.

MINUTES TO BE APPROVED

Supervisor DePasquale adjusted some of the Board of Assessment Review members' terms to coordinate with NYS records.

28.Board of Assessment Review

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

MOTION made by Councilman Robinson, seconded by Councilman Hrycik, and unanimously approved the minutes from the Organizational & Regular Town Board Meeting held on January 4, 2024 and the Town Board Workshop held on January 31, 2024.

NEW BUSINESS

None

OLD BUSINESS

None

COMMITTEE REPORTS

BUILDING REPORT

Councilman Robinson reported that the Senior Center Generator project is still moving forward, and we are waiting for the grant money to be issued hopefully by late spring. The project will hopefully begin before Aurora Adult Day Services begins their spring program at the Senior Center.

Superintendent Wohlhueter reported that additional lighting was added to the back of the Senior Center and Supervisor DePasquale reported that the furnace lights on the Senior Center have been repaired. Councilman Hrycik expressed concern about exposed fascia board and hanging gutters on the back the building.

CODE ENFORCEMENT REPORT

Report for the month of January 2024 – CEO Dziulko read the following report:

6 Building Permits Issued
2 Certificate of Occupancy Issued
1 Temporary Certificate of Occupancy Issued
7 Certificates of Compliance
1 Court Appearance
1 Phone Complaint
8 Hours of Schooling
2 ZBA Hearings

CEO Dziulko reported the removal of the home at 8253 Boston Colden Rd is moving forward. The demolition contractor needs to complete some disposal paperwork before the demolition permit can be issued. The CEO and Board discussed some other abandoned homes in town including one home with a probable squatter.

COMMUNITY DEVELOPMENT

Supervisor DePasquale asked that the following information be added to the minutes:

Free Lunch

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

Feed More Mobile Food Truck Feed More Food Truck

The Feed More Food Truck Giveaway will be held on February 22nd at the Colden Fire Hall.

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

DOG CONTROL OFFICER REPORT

Councilman Robinson gave the following DCO report:

1/3/24 A woman was bitten by a dog while walking her dogs on Ridgeview Lane. The rabies vaccination certificate was found to be up to date, so no complaint was filed.

1/6/24 Received a call about a dead deer on Lower East Hill. The caller was advised to contact the Highway Department.

1/9/24 A inquiry was received from a Stanfield Rd resident about Colden's leash law. The caller has had a neighbor's dog in his yard multiple times. The caller was texted the leash law and told to call back if he has any more problems.

1/22/24 A Doberman was lost on Crump Rd and subsequently located by its owner.

1/29/24 The Colden DCO took possession of 2 dogs found on Vermont Hill in Holland because the Holland DCO was unavailable.

1/30/24 The dogs' owner was located, told to pay a fine to the Town of Holland and then was able to collect his dogs.

Councilman Robinson thanked Michelle Zak for her DCO services so far. Her DCO vests have been ordered.

ENVIRONMENTAL BOARD REPORT

Supervisor DePasquale stated that notification letters have been mailed to State and County agencies of interest regarding the Town as Lead Agency in the Comprehensive Plan SEQR.

HIGHWAY AND PARKS REPORT

Superintendent Wohlhueter reported the following report:

The new zero turn mower and finish mower have been ordered on State contract. The dealer is giving us a \$1,400 trade for the Parks rider mower.

We secured a used set of forks for \$2,400 from the Cat dealer.

The lowest quote to have the dump body of the International #3 sandblasted and repainted is from Rich Ellis in Lawtons. He has worked on our equipment in the past with no issues.

The eyewash maintenance agreement had expired. We were able to purchase new equipment and eye solutions as a one-time use and will buy additional solution as needed or upon expiration. The cost savings should be substantial in the long run.

Updates are being completed in the Highway garage based upon our last fire inspection. A fire rated ceiling is being installed in the compressor/generator room along with some electrical work and new LED exit signs at all doors.

Cat said we should see delivery of the new loader in mid-April.

I am working on securing quotes for extra warranty coverage on the Freightliner plow truck along with the new one on order to potentially save the Town more money in the long run.

Councilman Robinson spoke about a meeting about the draft Park building. There is much more work to do. The Park's property boundaries need to be established and gas lines need to be marked before the building's location can be determined. The Board discussed hiring Nussbaumer & Clarke to survey the park and place pins to delineate the Park boundaries.

MOTION made by Councilman Hrycik and seconded by Councilman Robinson and unanimously approved to hire Nussbaumer & Clarke to survey the Park.

The engineer said the Highway roof design should be ready soon. The Board thanked Chairman Kammer for his work on this project.

INSURANCE REPORT

No report

LIBRARY REPORT

Councilman Hrycik reported the West Falls Colden Library is having a Door Sign design class on February 20, 2024, call to register. The Boston Free Library is continuing with their usual programming.

PERSONNEL REPORT

No report

PLANNING REPORT

Councilman Hrycik reported on a brief Planning Board meeting held in January and an upcoming one with the grant writers scheduled for February.

Supervisor DePasquale reported that the Final Draft Comprehensive Plan has been moved to the home page of the website and he would like all residents to review it. He requested that a public hearing be set for the March 14th Town Board meeting for public comments concerning the review and adoption of the Town's Comprehensive Plan.

WATER DISTRICT REPORT

Councilman Hrycik reported the following. At the present time consumption billed by Erie County Water Authority for the prior month is 1,564,000 gallons at a cost of \$5107.36 + \$341.01 = \$5448.37 expenditure.

*ECWA water cost \$3.56/Thousand

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

ECWA lead & copper filled, testing August 2024

Erie County is requiring us to update our Lead & Copper testing and check all district residences for homes with copper pipes with lead solder. Talked with ECWA, this is not due until 10/2024.

Account 0400, 8794 Lower East Hill Rd was placed on inactive. The water was shut off per a bank management group. This house has been sold.

Neptune 360 has been loaded onto desktop and A-pad. The February bills were done on the new system. We still have some continuing education on the new system.

Open Accounts as of 2/1/2024 billing:

219 Bills	\$21,116.50 (2,828,122 gal)
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Infrastructure Amt Invoiced	\$3,873.45
Arrears Billed	<u>\$ 2,671.32</u>
Total Billed Sent	\$27,661.22

Current Receipts	\$0
Arrears post Billing	\$2,671.32

Supervisor DePasquale reported on Councilman Pietraszek’s monitoring of a PFAs cost recovery program. The program is a class action the Town can join by signing a resolution and retainer agreement. If the Town incurs future costs for sampling, treatment, or any other actions from PFA contamination, the Cost Recovery Program would cover those costs. Supervisor DePasquale read the following resolution to approve the retainer agreement with the Law Firm of Napoli Shkolnik.

**TOWN OF COLDEN
COLDEN N.Y. 14033
RESOLUTION #2024 – 02**

RESOLUTION TO APPROVE RETAINER AGREEMENT

WHEREAS, Per- and Polyfluoroalkyl Substances are a group of manufactured chemicals which can be found in many places including public drinking water systems and private drinking water wells, and

WHEREAS, the Law Firm of Napoli Shkolnik, located at 400 Broadhollow Road, Melville, New York 11747 is representing municipalities within the State of New York against any and all parties, individuals and/or corporations that are found to be liable for injuries and/or property damages, and

WHEREAS, a Retainer Agreement is proposed for the Town of Colden which would provide coverage for damages if the same were to accrue with the Town, a copy of said Retainer Agreement is attached hereto,

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Colden finds it is in the best interests of the Town to enter into the proposed Retainer Agreement; and be it further

RESOLVED, the Town Supervisor is authorized to sign this Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is directed to send the signed Agreement and a certified copy of this Resolution to the Law Firm of Napoli Shkolnik.

Duly adopted this 8 day of February 2024.

Vote: Councilman Robinson – yes
Councilman Hrycik - yes
Councilman Pietraszek – excused
Councilwoman Zurbrick - excused
Supervisor DePasquale - yes

RECREATION REPORT

Supervisor DePasquale read the following report:

Pound is a cardio workout 6-week session, beginning February 29th. See the flyer on the Town & Recreation Facebook pages.

Soccer registration has begun. The registration day will be on Saturday March 9th from 9am – 11am. The flyer will go home through Colden Elementary School. Early sign up in encouraged.

A pottery class is being planned for March.

RESOLUTIONS

See Above

BUDGET TRANSFER

None

TOWN CLERK REPORT

The Town Clerk reported that the tax bills will be sent out on Tuesday, Feb 13th.

SUPERVISOR'S REPORT

Supervisor DePasquale reported on New York State's modifications to the election cycle. In 2025 and 2027 the election terms will be shortened to three years so subsequent elections will occur on even years.

The Supervisor's Office has ordered 600 pairs of solar glasses for viewing April's eclipse for Town residents. Extra glasses will be donated to the school and many schools have already closed for the event.

PAY BILLS

MOTION made by Councilman Robinson and seconded by Councilman Hrycik and unanimously approved to pay the following bills:

General Fund	2023 Voucher #2023-563 – #2023-579	\$7,031.39
Highway Fund	2023 Voucher #2023-235 – #2023-238	\$525.28
Water District	2023 Voucher #2023-68 – #2023-69	\$29.00
General Fund	2024 Voucher #2024-19 – #2023-64	\$34,754.75
Highway Fund	2024 Voucher #2024-6 – #2024-25	\$47,847.72
Water District	2024 Voucher #2024-1 – #2024-5	\$6,527.74
Lighting District	2024 Voucher #2024-1 - #2024-1	\$2,421.20

PRIVILEGE OF THE FLOOR

Councilman Hrycik asked that Covid 19 information be removed from the website. Supervisor DePasquale said that he's considering a new format for Colden's website which would make it more secure, easier to use and to update.

The Board discussed an upcoming address sign project. Reflective, double sided address signs will be mounted in the right-of-way at every house in Colden. This will help first responders and Cares Act Funding can be used.

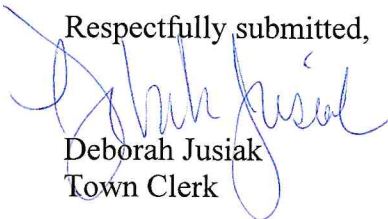
The Board will discuss using laptops for meetings. Accessing information electronically will cut down on the amount of paper. We will try it at next month's meeting.

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Robinson to adjourn the meeting. Motion carried and

MEETING ADJOURNED AT 8:05 PM

Respectfully submitted,



Deborah Jusiak
Town Clerk