

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

THE SUPERVISOR OPENED THE MEETING WITH A MOMENT OF SILENCE IN  
MEMORY OF RODNEY MARIEA AND FLORENCE LETSON

FOLLOWED BY THE PLEDGE OF ALLIEGIANCE

PRESENT

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

ALSO PRESENT

Highway Superintendent Lee Wohlhueter  
CEO John Kotlarsz  
CEO Tom Dziulko  
Planning Board Chairman Walt Kammer  
Recreation Director Kip Palmateer  
Town Clerk Deborah Jusiak  
Springville Journal Editor Max Borsuk  
ZBA Member Linda Kotlarsz  
Ann Moritz North Collins, NY

MINUTES TO BE APPROVED

MOTION made by Councilwoman Zurbrick, seconded by Councilman Pietraszek, and  
unanimously approved the minutes from the Regular Town Board Meeting held on March 14,  
2024.

NEW BUSINESS

None

OLD BUSINESS

The Town Board discussed the Final Draft of the Town's Comprehensive Plan (Plan) and  
reviewed the Plan's State Environmental Quality Review (SEQR). The Planning Board  
submitted a list of final comments to be included in the Plan.

MOTION made by Councilman Robinson and seconded by Councilwoman Zurbrick to approve  
the Plan's SEQR.

On the vote

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

Councilman Robinson thanked Planning Board Chairman Kammer for all the many hours worked on the Plan.

MOTION made by Councilman Hrycik and seconded by Councilman Robinson, and unanimously approved to accept the Final Draft of the Plan including the final changes as submitted by the Planning Board.

On the vote:

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

Supervisor DePasquale thanked the Town board for their work on the Plan. He amended the agenda to move Resolutions, the Water Report, and the Environmental Report to the beginning of the meeting.

## RESOLUTIONS

Supervisor DePasquale asked if the Board had a chance to research the Citizens Against Wind Turbines in Lake Erie (CAWTILE) resolution that was read into record at the March 14, 2024, Town Board meeting and asked for a motion to approve the resolution.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson to approve the resolution.

On the vote:

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

## COMMITTEE REPORTS

### WATER DISTRICT REPORT

Councilman Pietraszek reported the following. At the present time consumption billed by Erie County Water Authority for the prior month is 1,559,000 gallons at a cost of \$5674.16 + \$361.92 = \$6,036.08 expenditure.

\*ECWA water cost \$3.87/Thousand

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

\*Working of getting info from ECWA for the contamination issue filed with Napoli Shkolnik

\*Neptune 360 is loaded and updated. The February Bills were compiled on the new system. No problems with the system.

\*A pit meter froze up during bad weather, 3<sup>rd</sup> time with issues. Water Operator Greg Adams will have to dig around pit and add insulation around it. The Town lost over 140,000 gallons of water over 7 days because the customer was away on vacation.

\* Forwarded request from Shkolnik Law for PFAB's results in Erie County water supply. Councilman Pietraszek spoke with the attorney and Erie County Water Authority. Since no PFAs have been detected in Erie County's water supply so the Town may be removed from the Class Action Suit. Councilman Pietraszek will follow up with the attorneys.

\*Working on 2023 Annual Water Quality Report

Open Accounts as of 2/1/2024 billing:

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

Current Receipts	\$23,856.87
Arrears post Billing	\$3,967.59

The Board discussed the gas company's line work on State Route 240. Their work doesn't usually affect Town water lines because Town water lines are located well below the gas supply lines. Supervisor DePasquale stated their work may affect the homeowners service lines, but they are marked, and Water Operator Greg Adams will keep an eye on the meter pits.

## ENVIRONMENT

Councilman Pietraszek reported the following:

The Environmental Board reviewed two SEQRs during their April 2, 2024, meeting. The first was for a Change of Use for a battery backup business on Center Rd providing closed cell batteries to large businesses and the second was for a Change of Use for a landscaping business on Blanchard Rd. The Environmental Board had no negative findings with either SEQR.

Councilman Pietraszek was excused from the meeting at 7:15.

## BUILDING REPORT

Councilman Robinson reported on the Town Board's April 11, 2024, work session regarding the Highway Garage roof design. Some changes to the plans are necessary, and Schenne & Associates will add an addendum for clarification. Councilman Robinson would like to get the project out for bid this spring and CEO Kotlarsz will get quote and additional information from a contractor.

Councilman Robinson discussed getting a quote for adding a fire alarm system to the Highway Garage and Councilwoman Zurbrick suggested the Senior Center be included as well.

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved to get quotes for fire alarms systems for the Senior Center and Highway Garage.

## CODE ENFORCEMENT REPORT

Report for the month of March 2024 – CEO Kotlarsz read the following report:

- 5 Building Permits Issued
- 3 Certificate of Compliance Issued
- 2 Fire Inspections
- 3 Hours of Schooling
- 2 Phone Complaints

CEOs Kotlarsz and Dziulko discussed several recent new home projects to be constructed in Town. CEO Kotlarsz discussed the Town's abandonment of Bleistein Rd in 1984 - 1985. He believes Highway Superintendent Wohlhueter needs to sign an affidavit to officially abandon the road, stating that it hasn't been maintained by the Town for several years and the Town Board needs to act on it. Supervisor DePasquale said he will talk to the attorney and hold a special meeting if necessary. A vacant parcel owner would like access from Bleistein Rd so the road limits need to be defined. The CEOs also discussed several complaints they have received about various livestock in Town.

## COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported on the Colden Fire Company's very successful Easter Egg Hunt. She also reported that the Colden Seniors have 3 trips planned. There is an Amish Brown Bag and Railroad Museum Tour on June 18, 2024, a New York Kitchen & Cruise on the Canandaigua Lady on August 14, 2024, and a trip to the Seneca Allegany Casino to see the Rhinestone Cowgirls on October 22, 2024. All three trips will be posted on the Town's website.

Councilwoman Zurbrick also reported on the Town's Memorial Day celebration coming up on May 27<sup>th</sup> and Stop the Bleed and CPR training on May 2<sup>nd</sup> for Town Employees and volunteers. The Town Hall will be closed for the day. She also asked for 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 the 4<sup>th</sup> Thursday each month 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 reported that the Town now has a DCO Intermunicipal Agreement with the Town of Holland which will benefit both towns by providing cooperative dog control services as needed.

Councilman Robinson gave the following DCO report:

3/4/24- 2 pm DCO received a phone call from 8161 State Road stating 2 dogs were running free and going after animals. The DCO explained the laws to her that would require her to file a formal complaint and she declined to do so.

3/4/24-5:43 pm DCO received a phone call from a resident at 7104 Lewis Road, reporting a dog that got into her yard and attacked her chickens. The DCO explained the laws and asked if she wanted to file a complaint, she declined. At 6:11pm the dog's owner was found, the dog was returned and the owner paid for the chickens.

#### HIGHWAY AND PARKS REPORT

Superintendent Wohlhueter gave the following report:

We have submitted for our second half of payment for plowing county roads for the winter.

We have purchased and received a new 20-ton equipment trailer requested in the budget. The cost was \$8,803.83 below the state contract price and we also came in under budget by \$3,523.75.

Spring cleanup is underway. We are in the process of street sweeping and clearing the ditches and sides of the roads of blown down trees from winter's windstorms.

The parks cleanups are also underway. We anticipate turning the water on at the end of the week weather permitting and hope to start laying out soccer fields in a couple weeks. We did have some minor issues with the gray water pit for the septic system at the park bathrooms but were able to quickly get that resolved and working again.

#### INSURANCE REPORT

No report

#### LIBRARY REPORT

Councilman Hrycik reported the West Falls Colden Library is having a Fabulous Fungi class on Monday, April 22, 2024, at 6:30pm for \$25, call register. Both the West Falls-Colden and Boston Free libraries are continuing to hold their regular story hours.

#### PERSONNEL REPORT

Councilwoman Zurbrick proposed removing Patriot Day and adding President's Day and Juneteenth to the Personnel Policy. The Board discussed the current policy and determined that additional work needs to be done to update the policy. Councilwoman Zurbrick will type up the changes and give them to Tammy.

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved to remove Patriot Day and add President's Day and Juneteenth to the Town of Colden Personnel Policy.

## PLANNING REPORT

Councilman Hrycik reported that the Planning Board’s March meeting was cancelled due to weather. Planning Board Chairman Kammer reported on three items coming up in their April Planning Board Meeting: two Change of Use applications and a Kennel Permit application.

Chairman Kammer presented a quote of \$622.42 for 50 boundary line post markers needed to mark the Park at its turning lines and every 200ft. Councilman Hrycik suggested Nussbaumer & Clarke install the posts as they perform the survey. The Board discussed coordinating post installation with the survey.

MOTION made by Supervisor DePasquale, seconded by Councilman Hrycik and unanimously approved to order the stakes and pins for the Park.

## RECREATION REPORT

Recreation Director Palmateer reported the following:

A yoga class is running on Wednesdays from March 27 to May 1<sup>st</sup>. A pound class will begin on April 18, and run for 6 weeks. A pottery class will be held on April 11<sup>th</sup> and 25<sup>th</sup>. A soccer coach meeting was held on April 10. We plan to start games the second week of May, weather permitting. We would like to approve the following referees at minimum wage:

Jordan Szafranski  
Ty Ruhland

We would like to approve the following summer recreation employees at minimum wage:

Abigail Mary	Lily Smith	Julia Orduna
Brooke Sellers	James Wohlhueter	Jack Sobkowiak
McKayla Ruhland	Lily Beaudoin	Ty Ruhland
Lauren Smith	Sophia Domster	

MOTION made by Councilwoman Zurbrick, seconded by Councilman Robinson and unanimously approved to accept the employees and referees at minimum wage.

The Board discussed an Assistant Recreation Director position to be named at the May 9<sup>th</sup> Town Board meeting.

## RESOLUTIONS

Resolution Citizens Against Introducing Wind Turbines in Lake Erie (CAWTILE) was approved under Old Business and a Resolution to modify the 2023 Budget located under Budget Transfers

BUDGET TRANSFER

Supervisor DePasquale reported on the Town’s 2023 budget transfers. The first issue was a modification of the 2023 Town Budget’s lighting fund resolution.

**TOWN OF COLDEN  
COLDEN N.Y. 14033  
RESOLUTION #2024 – 05**

**MODIFICATION OF THE 2023 TOWN OF COLDEN ADOPTED ANNUAL BUDGET  
LIGHTING DISTRICT FUND**

WHERE AS, the appropriated amount in the 2023 budget for line SL5182.4 was **\$18,000.00**

WHERE AS, lighting fees usage was up in the Lighting District causing overage in the Lighting District.

WHERE AS, the total cost of Lighting for the year 2023 was **\$20,766.36**

WHERE AS a shortage of **\$2,766.36** remains at the year end.

WHERE AS, a total of **\$2,766.36** will be appropriated from the Lighting District fund balance.

NOW, THEREFORE BE IT RESOLVED, the Town Board of Colden modifies the 2023 Lighting District Budget.

BE IT FURTHER RESOLVED, the Colden Town Board does hereby Duly adopted this modification on the 11<sup>th</sup> day of April, 2024.

On the vote:

Councilman Dennis Robison – aye  
Councilman Jesse Hrycik – aye  
Councilwoman Patricia Zurbrick – aye  
Councilman Gerald Pietraszek – excused  
Supervisor James DePasquale – aye



Supervisor DePasquale reported on the following budget transfers to balance the 2023 Budget.

**General Fund Budget**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
A1110.11 Justice Staff	A1410.11 Deputy Town Clerk	\$535.00
A1110.11 Justice Staff	A1220.11 Supervisor Staff	\$3.00
A1650.4 Computer Website	A1670.4 Print/Mail	\$2,222.61
A3310.4 Traffic Control	A1910.4 Insurance	\$494.71
A3310.4 Traffic Control	A1920.4 Municipal Dues	\$369.60
A7620.4 Senior Contractual	A7510.4 Celebrations	\$1520.75
A7620.4 Senior Contractual	A7110.4 Parks	\$1558.74
A7620.4 Senior Contractual	A7310.4 Youth Contractual	\$717.71
A7620.4 Senior Contractual	A7310.42 Adult Rec	\$88.40
A9060.8 Medical Insurance	A9055.8 Disability Ins	\$36.52

**Water Fund Budget**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
SW8340.4 Trans Dist Water	SW8320.4 Source of Water	\$850.25

**Highway Fund Budget**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
DA5110.4 Gen Repairs	DA5130.4 Machinery Contractual	\$29,984.22

**Refuse Fund Budget**

<b>From:</b>	<b>To:</b>	<b>Amount:</b>
SR8160.4 Refuse Garbage	SR8160.41 Hazardous Waste	\$210.16

MOTION made by Councilman Hrycik, seconded by Councilman Robinson, and unanimously approved to accept the 2023 budget transfers to balance the 2023 Town Budget.

**TOWN CLERK REPORT**

Town Clerk Jusiak received the results of the speed study requested for Partridge Rd between Center Rd and Lewis Rd. The NYS DOT study determined there wasn't sufficient cause to lower the speed. She also reported that early voting is scheduled from April 20-28th for Erie County's 26<sup>th</sup> Congressional District.

**SUPERVISOR'S REPORT**

Supervisor DePasquale commended the Highway Department for a great job this winter. He also thanked the CEOs for their hard work. He mentioned that he was contacted about a speed study request on Hayes Hollow Rd by Falls Rd to be addressed at the May Town Board Meeting.

Councilman Robinson reported on the continuing reflective address sign project. He would like to start by doing 6 roads in town, Councilman Robinson provided pricing for the signs. The single sided high visibility signs cost \$7.06/each and the double-sided high visibility cost \$9.86/each.

The quotes don't include hardware, posts or holes. The Board settled on ordering double sided, high visibility signs. The Board discussed whether it was cheaper to order all the address signs, posts, and hardware at once or in small batches. Councilman Robinson said he would follow up with an email letting everyone know the total costs.

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved, to purchase double-sided high visibility green reflective signs, posts and hardware for the address project using Cares Act Funds once the total cost is communicated by email.

Councilman Robinson also reported on a cow in Kummer Park. The cow has recently been loose twice in the Park and was reportedly chasing people. CEO Kotlarsz stated that parcel where the cow is housed is zoned agricultural, and its pen is 100 ft from an uncertain property line. He may be able to issue an order to remedy after the Kummer Park survey has been completed. The Board discussed the importance of Park safety and getting complaints in writing.

CEO Kotlarsz provided a quote for replacing the heads and the heads and poles of the lights in the historical lighting district. Two quotes for replacing all the heads were \$97,230 and \$96,575 while pole and head replacement was quoted to be \$136,200. The Board discussed replacing the poles and heads versus just the heads. They reported that lighting grants aren't easily available, and the quoted prices are higher than anticipated. CEO Kotlarsz said about 15 of the historical district lights are not LEDs and could be installed by the Parks Dept, head and pole replacement would require installation by a contractor.

Supervisor DePasquale reported on an upcoming Shredding Day held this Saturday, April 20 at 9:30 am. The event will be open to all residents.

Supervisor DePasquale received a \$3,600 bill to renew the Town's Emergency Code Red alert system. Supervisor DePasquale and the Board discussed continuing the service. He is planning another test call, residents can register for the service, it is available on the Town's website. The Board decided to keep the alert service because it can provide timely notification in important situations.

#### PAY BILLS

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

General Fund	2024 Voucher #2024-111 – #2024-160	\$50,070.78
Highway Fund	2024 Voucher #2024-48 – #2024-75	\$65,212.11
Water District	2024 Voucher #2024-13 – #2024-18	\$6,730.56

Lighting District	2024 Voucher #2024-3 - #2024-4	\$2,395.21
Refuse District	2024 Voucher #2024-2 - #2024-3	\$27,362.41

#### PRIVILEGE OF THE FLOOR

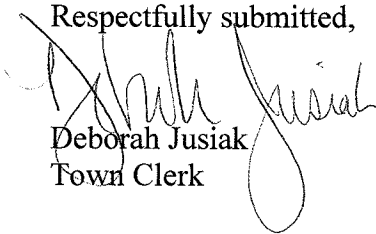
Ann Moritz from CAWTILE introduced herself and thanked the Board for passing the CAWTILE resolution. She also stated that current wind turbine projects being proposed on the Langford Ridgeline are not getting landowner support, so wind turbine land agents are moving towards Colden, currently looking at Brown Hill Rd and Cole Rd. She wants the Town Board and residents to be knowledgeable about wind turbines before they become an issue. The Town of North Collins rewrote their wind turbine law to incorporate information they didn't have 3 years ago, and they would be happy to provide information to other towns.

#### ADJOURN

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

MEETING ADJOURNED AT 8:24 PM

Respectfully submitted,

  
Deborah Jusiak  
Town Clerk