

REGULAR TOWN BOARD MEETING CALLED TO ORDER AT 7:05 pm

THE SUPERVISOR OPENED THE MEETING WITH A MOMENT OF SILENCE IN
MEMORY OF MICHAEL M PUPKO, STEVEN MORRISSEY AND HUBERT HALLETT

FOLLOWED BY THE PLEDGE OF ALLIEGIANCE

PRESENT

Councilman Dennis Robinson
Councilman Jesse Hrycik
Councilwoman Patricia Zurbrick
Councilman Gerald Pietraszek - excused
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
DCO Michelle Zak
Springville Journal Editor Max Borsuk
Lisa Holmer SUP Dog Kennel Applicant
Approximately 4 residents

MINUTES TO BE APPROVED

MOTION made by Councilman Robinson, seconded by Councilwoman Zurbrick, and
unanimously approved the minutes from the Regular Town Board Meeting held on May 9, 2024.

OLD BUSINESS

Lisa Holmer - SUP Kennel Permit: Supervisor DePasquale introduced Lisa Holmer of 9034
Maltby Rd. He asked the Town Board and Ms. Holmer if they had any questions about or
revisions to the Draft Special Use Kennel Permit. No one made any comments.

MOTION made by Councilman Hrycik and seconded by Councilman Robinson and
unanimously approved to accept Lisa Holmer's Kennel Special Use Permit.

on the vote:

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

Supervisor DePasquale said Councilman Robinson will set up a Kennel Inspection appointment with Lisa Holmer and bring a copy of the Special Use Permit for her to sign and return to Town Hall.

NEW BUSINESS

Highway ReRoof Design

Councilman Robinson reported the three bids that were reviewed at the June 13, 2024 Town Board Workshop

Bids were received from:

1. Picone Construction \$492,000 + \$20,000 contingency allowance
2. Loudon Building Co \$375,180 + \$20,000 contingency allowance
3. Sicoli Construction Services \$478,600 + contingency allowance

The Board discussed that the bids were much higher than anticipated; the bid documents contained a prospective project cost that was considerably higher than the amount budgeted. Supervisor DePasquale asked the Board whether they wanted to have the trussed roof project reviewed by a third-party engineering company or pursue a flat reroof project. The cost of the third-party review and the necessity of repairing the Highway Garage Roof as soon as possible were discussed and it was decided to go with a flat roof replacement. Planning Chairman Kammer stated that the reroof project should wait to incorporate results from the upcoming energy study on Highway Building scheduled for mid to late June. Action Roofing will be contacted for time-sensitive repairs.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson and unanimously approved to reject all the bids because they were over the amount budgeted and the lowest bidder did not provide a bond as required in the bid specs.

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved to return the \$25.00 plan checks and plans to the contractors.

DEPARTMENT REPORTS

BUILDINGS

Councilman Robinson reported about a quote he received from Johnson Controls for fire alarm services to the Senior Center, Highway Garage and auxiliary buildings. The quote did not include installation costs and the Board determined that a total package which includes installation, equipment and service is needed prior to deciding. Once the quote is received, Councilman Robinson will forward it to the Board.

Supervisor DePasquale stated that the CDBG contract for the Senior Center generator project has been signed and returned to Erie County. Once installed, the Senior Center will be capable of being used as an emergency evacuation center for the Town. Councilman Robinson thanked all those that helped with the project.

CODE ENFORCEMENT REPORT

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

14 Building Permits Issued	2 Order to Remedy Violations
1 New Dwelling Permits Issued	3 Hours of Schooling
1 Certificate of Occupancy Issued	1 Phone Complaint
5 Certificates of Compliance Issued	

CEO Dziulko discussed a complaint he received about overgrown grass 8688 Hayes Hollow; the grass has been cut. The CEOs and Board discussed the deteriorated condition of an abandoned home with a squatter at 8468 State Rd. Supervisor DePasquale asked the CEOs to determine whether a NYS law passed in the 2024 Budget could be useful in getting rid of the squatter. The CEOs will determine whether the home is bank or privately owned and will cite the responsible party.

The Board discussed the Special Use Permit inspections held on June 8, 2024. The inspections were performed by Councilman Pietraszek, CEO John Kotlarsz and Planning Board Chairman Kammer.

1. Frank Hrycik

- Type of SUP – Junk Yard
- General Appearance of Premises – Messy, could be neater
- Vehicle Inventory – 18 Vehicles
- Conformity to SUP Conditions – Ok
- Recommendations – As usual consolidation of material
- SUP Issued – 9/13/1990

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved Frank Hrycik's Junk Yard SUP inspection as conforming with the SUP conditions, Councilman Hrycik abstained from the vote.

2. Buffalo Ski Center

- Type of SUP – Bridge
- General Appearance of Premises – Good
- Conformity to SUP Conditions – Most recent Bridge Inspection unavailable during inspection
- Recommendations – Southeast/southwest corners need protection, still dangerous

The board discussed holding off on approval of the SUP inspection until the engineering report is available and repairs are made to a berm on the south side of the bridge.

3. SBA Tower

- Type of SUP – Tower
- General Appearance of Premises – Bolts loose on electrical pit, old appliances – Ski Club related, general appearance is good
- Conformity to SUP Conditions – N/A
- Recommendations – Tighten Bolts on electrical pit cover
- SUP Issued – 1/12/2001

The Board decided to hold off on approval of the SUP inspection until the bolts are tightened.

4. Al Kaefer

- Type of SUP – Gravel Pit
- General Appearance of Premises – 8 Pieces of equipment
- Conformity to SUP Conditions – Ok
- Recommendations – None
- SUP Issued – 4/21/1981

MOTION made by Supervisor DePasquale, seconded by Councilman Hrycik and unanimously voted to approve Al Kaefer's SUP inspection.

5. David Kloiber

- Type of SUP – Junk Yard
- Vehicle Inventory – 238 Vehicles
- General Appearance of Premises – Good
- Conformity to SUP Conditions – Good
- Recommendations – None
- SUP Issued – 6/11/1990

MOTION made by Supervisor DePasquale, seconded by Councilwoman Zurbrick and unanimously approved to renew Kloiber's Junk Yard SUP inspection.

6. Dr Young

- Type of SUP – Tower
- General Appearance of Premises – Good, no change
- Conformity to SUP Conditions – Good
- Recommendations – None
- SUP Issued – 5/23/1993

MOTION made by Supervisor DePasquale and seconded by Councilwoman Zurbrick and unanimously approved to renew Dr Young’s SUP inspection.

7. SAIA Tower

- Type of SUP – Tower
- General Appearance of Premises – Locked Drive, Could not inspect
- Recommendations – Reinspect
- SUP Issued – 5/23/1993

The Board held off on approving the SUP inspection until the tower could be inspected, the gate was locked. CEO Kotlarsz to inspect.

8. Paul Cohn

- Type of SUP – Wind turbine
- General Appearance of Premises – Good, anti-climb device was locked
- Conformity to SUP Conditions – Good
- Recommendations – None
- SUP Issued – 9/11/2014

MOTION made by Supervisor DePasquale, seconded by Councilman Hrycik and unanimously approved to approve Paul Cohn’s Wind Turbine SUP inspection.

CEO Kotlarsz will finish inspection of the remaining SUP locations.

Councilman Robinson and DCO Zak have performed most of the annual Kennel Special Use Inspections. Two Kennel permit holders, Diane Farish 10025 Partridge Rd and the Wurzer’s of 10663 Holland Glenwood Rd, were unable to be inspected but the inspected kennels were found to be clean and nice, most have fewer than 4 dogs but Permit holders want to keep their kennel licenses for now. As discussed above, Lisa Holmer 9034 Maltby Dr, will be added to the list of this year’s inspections.

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved to accept the inspected Kennel Permit holders.

COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported the Town Concerts have started and the first band was great, the next concert is at 6:30 on June 19, 2024. The concerts are every other Wednesday. St Paul’s

Church is having a basket raffle on June 19, 2024, beginning at 6:00 pm. Senior Adult Day Services will begin at the Colden Senior Center as soon as there are enough participants. The program will meet on Wednesdays and Fridays from 9am-3pm.

The Colden Seniors have an upcoming Amish Brown Bag and Railroad Museum Tour on Tuesday, June 18, 2024. All information about the Colden Seniors trips is posted on the Town's website, they are accepting reservations. She also asked for the following information be added to the minutes:

Feed More Mobile Food Truck

The Feed More Food Truck Giveaway will be held on the 4th 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

Councilman Robinson read the following Dog Control Officer report:

5/7/24- DCO received a phone call from a resident of 7470 Center Road reporting a neighbor whose dogs are constantly barking between hours of 1pm and 7am. DCO Zak gave him an affidavit of complaint to complete, it has not been returned. The dog's owner, Andrew Dembik of 7400 Center Rd stated the dogs have a proper outdoor kennel space that they live in because they are working dogs that protect his chickens from wildlife.

5/22/24- DCO received a dog that was found sitting in Gutekunst field. It belonged to a resident on Gutekunst and was immediately returned.

Councilman Robinson contacted the Qualitee T-shirt company to inquire about the status of a DCO vest order, he is waiting to hear back. Supervisor DePasquale reported that the NYS Dept of Agriculture & Markets inspection was finalized, and the Town passed.

ENVIRONMENT

The Environmental Board reviewed the SEQR from the Wales Kennel SUP application. They determined the application had no or little significant impact to the environment.

HIGHWAY AND PARKS

Highway Superintendent Wohlhueter reported the following:

~ The paving of Maltby Road has been completed. We are in the process of doing driveway approach adjustments and after chipseal of the road we will be installing the blacktop gutters. We would like to express our thanks to the towns of Aurora, Boston, and Concord for the help with paving.

~ On May 30th we took delivery of the new Cat 926 loader that was approved last fall. The machine has been working very well and we hope to be able to rotate this machine out in 3 years again if possible.

~ Road mowing is underway along with routine ditching and preparation is underway for chip sealing tentatively in mid-July

Parks Report

~ We have received the woodchips for the playgrounds and swing sets in the park and are placing them now.

Councilwoman Zurbrick requested dog waste bags be reinstalled at Kummer Park and Supervisor DePasquale requested that the hand sanitizer dispensers on the pavilion be reinstalled and refilled at the Park. The Board discussed whether GPS units are still needed on Highway Dept vehicles, and it was determined to be helpful. GPS units have not been installed on the new trucks yet.

INSURANCE

Councilman Robinson reported that health insurance increases are coming, and will be discussed further at the July 11, 2024, Town Board Meeting.

LIBRARY

Councilman Hrycik reported:

- The West Falls Library is having their Haunted Hill Event on June 20, 2024, please register in advance but there is no charge.
- The Boston Free Library has begun the Summer Battle of the Books, and regularly scheduled Lego Club and Preschool activities are ongoing.

PERSONNEL

Councilwoman Zurbrick and Supervisor DePasquale discussed upcoming online safety training through Comp Alliance and Councilwoman Zurbrick read a resignation letter from Parks and Maintenance Worker Kalei Brautlacht.

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved to accept Parks and Maintenance Worker Kalei Brautlacht's resignation.

Supervisor DePasquale reported that at the June 13, 2024, Town Board Workshop, the Town Board discussed hiring current Parks summer worker Scott Kirby as the new Parks and Maintenance Worker and advertising for a summer Parks Worker.

MOTION made by Councilwoman Zurbrick and seconded Councilman Robinson and unanimously approved to offer Scott Kirby the full time Parks and Maintenance position.

MOTION made by Supervisor DePasquale and seconded Councilwoman Zurbrick and unanimously approved to advertise for a summer Parks Worker.

PLANNING

Councilman Hrycik and Planning Board Chairman Kammer reported on the Planning Board's continued work on shipping container and short-term rentals regulations and defining the term "free-range". They also reported that the Town's \$10,000 NYSERDA Clean Energy Community Grant that was received at the end of May, needs to be earmarked by the end of August. Planning Chairman Kammer met with a representative from UBRI to discuss a pathway for the Town to qualify for an additional \$50,000 grant.

Planning Chairman Kammer and Recreation Director Palmateer will meet with Wendy from Rotella to discuss potential Parks grant opportunities. He also delivered bound copies of the AFPP and Comp Plan to the Clerk's Office for distribution. The copies were paid for by a grant from Erie County Dept of Environment and Planning.

WATER

Councilman Hrycik read the following report:

- Usage update: At present time consumption billed by ECWA for prior month 1,927,000 gal. cost \$ 7014.28 + \$361.92 = \$ 7376.20 expenditure.
- Continue to rebuild meters as we replace radios with T-10 radios.
- Forwarded request from Shkolik Law for PFAB's results in water Erie County Supplies. Long discussion, Gerry addressed issue with ECWA in follow up
- AWQR report for 2023 POSTED and placed per ECWA specification
- Thought we had water leak toward end of last month, two accounts had large bills. Both are fixed now, complaints about bills were because water registered as running through meter thus they were billed.

RECREATION

Recreation Director Palmateer reported the following:

- Registration for Summer Program is filled but there are still a few spots for swim lessons and field trips.
- The regular season for soccer games ends next week. The Midget league will have a fun game, and end of season party on Wednesday June 18, 2024.
- I want to thank all our volunteer coaches for taking on this task. We couldn't do this without them, and we greatly appreciate it.

RESOLUTIONS

None

BUDGET TRANSFERS

None

CLERK REPORT

Town Clerk Jusiak reported that early voting for the Republican Party Primary for the 147th Assembly is taking place from June 15-23rd with Election Day on June 25, 2024. Deputy Clerk Crystal Barrett will be the recording secretary for the July 11, 2024, Town Board meeting and July 1, 2024 is the last day for Town and County Property Tax collection in Colden.

SUPERVISOR'S REPORT

Supervisor DePasquale reported that a science teacher from Mount Mercy is collecting eclipse glasses to donate to Astronomers without Borders. Underprivileged locations having upcoming solar events would receive the extra glasses.

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved to donate extra eclipse glasses to Astronomers without Borders.

Supervisor DePasquale asked the Board to consider waiving the permit fee for the Fire Station's new signs.

MOTION made by Councilwoman Zurbrick and seconded by Supervisor DePasquale and unanimously approved to waive the building permit fees for the two signs installed by the Fire Company.

Supervisor DePasquale and the Board discussed erecting a digital sign in Town to publicize Town of Colden information and public safety announcements. The fixed sign board in the Veteran's Park was a former Eagle Scout project and requires a conversation with the Boy Scouts prior to rebuilding.

Supervisor DePasquale discussed an email he received about tents and campers on vacant property and fireworks on Murray Hill Rd. The use of fireworks is not condoned by the Town and a certified agency must apply through the Town for permission to set them off. Tents and campers on vacant property are legal provided they are not permanent.

Supervisor DePasquale asked the Board for approval to sign the fireworks contract for the Town's July 6th celebration. He anticipates a large crowd; the Town's Emergency Manager is planning to shut Park St down once the parking lot is full.

MOTION made by Councilwoman Zurbrick and seconded by Councilman Robinson and unanimously approved to sign the Town's fireworks contract.

The board briefly discussed the diverse services provided by Nussbaumer & Clarke. Supervisor DePasquale asked for a motion to appoint them for the Town's use of special projects.

MOTION made by Councilman Hrycik and seconded by Councilman Robinson to retain Nussbaumer & Clarke at an hourly rate with no retainer fee for special Town projects.

Supervisor DePasquale thanked the Board for all their help in setting up the wonderful Memorial Day Services. The event was moved into the Senior Center due to the weather and the speaker was an eloquent gold star mother

PAY BILLS

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

General Fund	2024 Voucher #2024-202 – #2024-263	\$48,419.12
Highway Fund	2024 Voucher #2024-91 – #2024-111	\$77,579.26
Water District	2024 Voucher #2024-25 – #2024-30	\$8,699.69
Lighting District	2024 Voucher #2024-6	\$2,248.47
Refuse District	2024 Voucher #2024-5	\$26,915.45
Cares	2024 Voucher #2024-3	\$4,367.98

PRIVILEGE OF THE FLOOR

A resident inquired about recent sightings of the wandering cow from Parks St. The cow was reported to have been sold but has been spotted to be in the area recently.

Councilman Robinson reported on his continuing work on the address sign project. He has taken delivery of many of the signs and is expecting more this week. The posts and bolts need to be ordered. The address signs will be especially beneficial for emergency personnel and the Highway Dept.

ADJOURN

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

MEETING ADJOURNED AT 8:34 PM

Respectfully submitted,

Deborah Jusiak
Town Clerk