

TB JULY 14, 2016
REGULAR TOWN BOARD
COLDEN TOWN HALL – July 14, 2016

MEETING CALLED TO ORDER AT 7:03PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE IN MEMORY OF THE DALLAS POLICE OFFICERS WHO LOST THEIR LIVES IN A FATAL SHOOTING FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT: Councilman David Arcara – yes
Councilman Jesse Hrycik – yes
Councilman Patricia Zurbrick – yes
Councilman Gerald Pietraszek – yes
Supervisor James DePasquale – yes

ALSO PRESENT: Highway Superintendent Paul Clarkson
Bldg. Insp/Code Enf Officer John Kotlarsz
Town Clerk Christina Kerlin
Approximately 14 residents

MINUTES:
MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved the June 2, 2016 Town Board Workshop, and the June 9, 2016 Town Board Meeting as presented.

COMMITTEE REPORTS

BUILDING REPORT

Supervisor DePasquale stated that he spoke with Pete Lore about taking down the tennis court wall. Pete suggested maybe just taking down the top 3 feet and capping the top and that way you could still use the wall. Supervisor DePasquale will have Councilman Arcara meet with Pete Lore and Tere Feidt from the parks department to see what would be the best solution for the tennis wall.

Supervisor DePasquale will be painting his office and adding a dry erase board for any of the Councilman to add any information that needs to be brought to the attention to the Supervisor's office.

Discussion took place on replacement of doors and or keys for the Town Hall, Senior Center, and Highway buildings.

CODE ENFORCEMENT OFFICER REPORT

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

- 5 Building Permits Issued
- 2 First Notice of Violations
- 2 Court Appearance
- 1 Stop Work Order
- 1 ZBA Meeting
- Annual Special Use Permit Inspections

Supervisor DePasquale stated that he has a list of zombie properties that will be submitted to Assemblyman Mickey Kearns who is working on getting the banks to do something with all the abandoned houses in Erie County.

COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the Bread of Life is open along with the Farmers Market on Saturdays from 8:30am to 1pm and you can check it out on Facebook. Colden Art Festival is going to be October 1st – 2nd from 11am to 5pm if you are interested in renting space there are forms on the table in the foyer and the form needs to be submitted by September 1st. Senior trips are posted on the Towns website and on the board in the Town Hall

DOG CONTROL OFFICER REPORT

Councilman Arcara reported that this month the DCO Kathy Horschel stated that they were very busy and they are continuing with the dog census. Received a few calls on lost dogs all have been found except one. A few calls related to cats and skunks. They dealt with their first dog bite incident in which they did more than their job required. A call was received on a neglected dog after checking out the situation the dog was fine.

ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that he has talked with Mark Gaston from Erie County Soil and Water and they will be working with the highway department on digging some test holes in the creek on Friday. Design should be done at the end of July and bidding to go out sometime in August and work will start at the end of August. Highway Superintendent Clarkson is to keep track of any time or material used while working on the creek this will count as part of the towns share for the creek work. Councilman Pietraszek stated that at the last Environmental Board meeting they are collecting information on Solar Panels and are looking at the visual effects, air, water and wildlife impacts.

HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that Burr Road is open. National Fuel did a crossover on South Hill Road and the road needed to be closed down for a portion of the day and has since been reopened. Binder will be put down on the area once the stone has settled.

-Darien Road has a washout on an area near the Holland line the drop off is around 16 to 18 feet. There is a guard rail at that area which will protect anyone from going over the side and cones have been placed. The washout will need to be addressed immediately for repair and should take around a day. Contact was made with Erie County Soil & Water about the stream and it is not a protected stream they suggest rip rap and pinning it. Highway Superintendent is gathering prices now for the repair. A compressor can be obtained from the Village of Springville and a sinking hammer will needed to be rented and a bigger excavator can be obtained through shared services if not one available one will have to be rented. County Line will bring out the rocks that have been picked out to be pinned and then smaller rocks will be placed. Supervisor DePasquale asked Highway Superintendent Clarkson if he should relook at holding off on chipping and sealing one of his roads for this year so that he has enough money to repair Darien Road. Highway Superintendent Clarkson stated that the Town of Colden is receiving \$11,247.77 from the PAVE NY Program which will help in the cost of the repair of the project on Darien Road. He said that he has enough money in his budget to finish all his road work and repair Darien Road and still be able to purchase some culverts for future work.

Purchase Proposal for 2016 Highway Truck

Discussion took place on the purchase price of the 2016 Ford F-450 XL Reg Cab4x4 highway truck that was approved for purchase this year. There was a discrepancy in the overall price of the truck. Highway Superintendent Clarkson stated that the difference looks to be from Van Bortal Ford adding a possible \$700.00 delivery charges to Valley Fabs proposal. After clarification is received from Van Bortal Ford on the purchase price the check will be sent out.

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved the pre-pay of the 2016 Ford F-450 XL 4x4 truck after documentation is received showing Valley Fabs proposal price and the difference of the \$700.00 being delivery charges.

INSURANCE REPORT

No report

LIBRARY REPORT

Councilman Hrycik stated that he was at the Bookmobile on Tuesday and met with Brain who stated that the turnout has been very good and residents are ordering specials requests and possibly might changing the time at the Town Hall and when school is back in session.

PERSONNEL & TRAINING REPORT

Councilman Zurbrick reported that the additional recreation summer help if needed was approved at last month's meeting.

MOTION made by Councilman Arcara and seconded by Councilman Hrycik to approve the following summer recreation employee's at minimum wage are Haley DePasquale, Emily Dziulko, Olivia Fisher, Jena Schelble, Kalei Braulacht, Michael Palmateer, Ryan Brautlacht, Caylene Mary, Jake Schreiber and Tennis Instructor Jonathan Hartman at \$11.00 an hour.

On the Vote: Councilman David Arcara – yes
Councilman Jesse Hrycik – yes
Councilman Patricia Zurbrick – yes
Councilman Gerald Pietraszek – yes
Supervisor James DePasquale – abstained (daughter is one of the employee's)

Town Hall, Recreation and Highway department completed CPR and AED Training. For the record Councilman Zurbrick stated that in this heat the AED should be left on the job site with the highway employees.

Recreation department will be having there mandatory training session and the summer highway employee will also attend the training.

PLANNING BOARD REPORT

Councilman Hrycik reported that a resident was in attendance and spoke about having a "Glamping Project" more information to follow. There was discussion on Solar Panels and also a possible "Historic District" added in town.

WATER REPORT

Councilman Pietraszek reported that chlorine levels have been varying there was a problem at the water line on Gartman Road.

- 3 radios have been replaced
- Valves are being exercised
- Samples will be taken for lead and copper
- Backflow preventer tests have been coming in
- Discussion on the water that was used for a fire on Stanfield Road and who is responsible for payment of the extra water used on the fire.

YOUTH/ADULT RECREATION REPORT

Councilman Zurbrick reported that there was a field trip to Old Fort Niagara today and an award ceremony was yesterday but with the weather being so hot all they did was hand out the trophies. Highway department was thanked for building a sprinkler tunnel for the recreation summer program.

OLD BUSINESS

None

NEW BUSINESS

Supervisor DePasquale addressed the Annual Special Use Permits & Dog Kennels permits that were done at the workshop. Town Board will Hold Off on the renewal of Carl’s Trucking, Buffalo Ski Club Bridge, John Kruszka-Automobile Sales and Paul Cohn-Windmill.

MOTION made by Supervisor DePasquale and seconded by Councilman Zurbrick to approve the Annual Special Use Permits for Frank Hrycik, David Kloiber, Gene Long, SAIA Communications, SBA Communications, Charles McMicken, Al Kaefer, Chris Matske, Daryl & Jackie Gallagher, Kevin & Mary Suplicki, Daniel Geile, Mark Leitzen, Anthony & Nancy Wurzer, David & Allison Giambra for September 2016 to September 2017.

On the Vote: Councilman David Arcara – yes
Councilman Jesse Hrycik – abstained
Councilman Patricia Zurbrick – yes
Councilman Gerald Pietraszek – yes
Supervisor James DePasquale – yes

Colden Lakes Request for Sight Plan Change

Supervisor DePasquale stated that a letter was received from Judy Brown for a site plan change at Colden Lakes Resort the letter stated:

To Town of Colden,

Colden Lakes Resort is requesting to make a sight plan change. The New Lake portion of our campground has 25 legally approved camping sites. Since the sites were built two sites have been sharing green space between them that has been approved camping since origination. I request permission to move the utilities of this unused green space to the end of lake. Our site plan will stay within the approved 25 site blueprint.

Additionally, we would like to request that Pool sites 1-9 be allowed to stay in place during the winter months for storage. Sites 10-25, which are the weekend pull-through site will remain vacant. Sites 1-9 do not have any porches or sheds as per permit specifications approved by the Town Board.

The first request is to move some electrical panels from one area to another so that request will not have to go before the Town Board. The Building Inspector will be responsible to make sure that the panel has been hooked up properly. The second request is for winter storage on sites 1 – 9. That area was challenged in the past in court and the decision was no winter storage in that area. Therefore any action would need an amended site plan change submitted to the Town Board. If the matter does come before the Town Board the neighbor’s in 500ft. would be notified of the requested site plan change.

RESOLUTIONS

None

BUDGET TRANSFERS

MOTION made by Councilman Pietraszek, seconded by Councilman Hrycik, and unanimously approved to transfer funds as follows:

From: A1620.44 Operation of Buildings-Contractual	\$1,195.00
Into: A3620.4 Code Enforcement Contractual	\$1,195.00

TOWN CLERK REPORT

Town Clerk Kerlin reported that the Local Law for a Moratorium on Solar Panels was filed on June 27, 2016.

SUPERVISOR’S REPORT

Supervisor DePasquale reported that a letter was received from the Colden Fire District requesting help in getting the County to improve the local roads the letter is on file in Town Clerk’s office. A thank you note was received for the \$50.00 donation to the Holland Post Prom.

PAY BILLS

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

General Fund Warrant Voucher #2016-202 to #2016-245	\$15,970.56
Highway Fund Abstract Voucher #2016-98 to #2016-118	\$89,683.10
Refuse District Voucher #2016-33	\$17,762.96
Water District Voucher #2016-30 to #2016-36	\$ 5,376.75
Lighting District Voucher #2016-13 to #2016-14	\$ 1,588.66

PRIVILEGE OF THE FLOOR

Marilyn Calhoun Allen commented on the Street Light District and thought that whoever signed the petition should be notified that additional lights may be added to the district

CEO John Kotlarsz stated that the Log Home Business has been in court for 4 weeks now and has been fined \$1,800.00 dollars for 12 violations for weeks one and two for a total of \$3,600.00. Third week was July 4th so there was no court and the last week there were one violation removed so there is 11 violations with a fine of \$1,650.00 the case is still on going in court. The business is supposed to go up for auction sometime soon.

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Supervisor DePasquale invited CEO John Kotlarsz to sit in with Councilman Arcara and Councilman Hrycik and the Planning Board when they are discussing the updates to the fees and fines for the code book.

ADJOURN

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara and unanimously adjourned the meeting at 8:29pm.

Respectfully submitted,



Christina M. Kerlin
Town Clerk