

TB Mtg March 9, 2017  
REGULAR TOWN BOARD MEETING  
COLDEN TOWN HALL – March 9, 2017

MEETING CALLED TO ORDER AT 7:01PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE IN MEMORY OF RUTH JUNE CECALA, ROBERT CHILSON AND GREGORY FULLER 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 Bldg. Insp/Code Enf Officer John Kotlarsz  
Town Justice Martin McMahon  
Highway Superintendent Paul Clarkson  
Town Clerk Christina Kerlin  
Approximately 10 residents

MINUTES:

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara and unanimously approved the February 2, 2017 Town Board Workshop Meeting and February 9, 2017 Regular Town Board Meeting under Highway Transfer the fourth entry should state the transfer is from account DA5142.4 Snow Contractual not account DA5130.4 Machinery Contractual.

Request to be on the Agenda: Pat Thoman, Bread of Life Center

Pat Thoman and Martin McMahon gave an update on the Bread of Life Outreach Center on how it is has grown in the community since 2009. The food pantry serves about a 100 client family and 300 members with in the families. The Outreach Center is now working with other communities in the area. Some of the organizations are the ROC in the Town of Wales which has the services of a social worker to help clients at the Outreach Center, SASI, BOCES students who help out at the thrift shop, Food Bank Mobile Pantry which comes out once a month with fresh foods for anyone in the community these are just a few of the organizations. The Bread of Life Center offers a variety of activities yoga, youth and adult art classes, a children’s Halloween party, Thanksgiving service, Christmas Tea, Rummage sale these are a few of the activities offered. The Farmers Market is in the 6<sup>th</sup> year and will be starting up in May.

The Catholic Diocese owns the church and the parsonage which is in need of repair. The Bread of Life pays all the bills and is run by all volunteers. The Bread of Life Outreach Center is preparing to put in a purchase offer to the Catholic Diocese for the church and parsonage to use as additional space for other service and activities. The Bread of Life Outreach Center is seeking a letter of support from the Town Board for purchase of the property and how much the Center is a benefit to the community. Councilwoman Zurbrick will put a letter together on behalf of the Town Board.

## COMMITTEE REPORTS

### BUILDING REPORT

Councilman Arcara reported that the Town buildings survived the winds from the last winter storm. The Senior Center door will be replaced in the spring.

### CODE ENFORCEMENT OFFICER REPORT

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

- 3 Building Permits Issued
- 1 Certificate of Occupancy
- 1 Order to Remedy
- 2 Court Appearances
- 1 Fire Inspection

Supervisor DePasquale stated that he has spoken with the Town Legal Counsel about the property located at 8680 State Road. The property has become a danger to the community. The Town Attorney advised the Town Board to follow Chapter 31: Buildings, Unsafe of the Town Code. The Town Board shall immediately cause notice of said findings to be served to the owner, his attorney and sent by certified mail as well as posting on the premises. The notice will be filed at the Erie County Clerk's office and a public hearing will be conducted to inquire into the facts and circumstances of the case.

### Set Public Hearing

MOTION made by Councilman Arcara and seconded by Councilwoman Zurbrick and unanimously approved to set a Public Hearing for Thursday, April 6, 2017 at 7:00pm at the Colden Town Hall to follow the process of Chapter 31: Buildings, Unsafe of the Town Code for the property at 8680 State Road in the Town of Colden.

Discussion followed on what should be taken down and removed from the property at 8680 State Road. Supervisor DePasquale instructed CEO John Kotlarsz to conduct another inspection of the property and reevaluate the structure of the house before the scheduled Public Hearing.

Supervisor DePasquale stated that Arlene Solly asked to address the Town Board tonight on unkept properties around town. The one property in particular that she has talked to him about has been ongoing in court.

Arlene Solly stated her frustration with some of the properties that are unkept and have not been maintained for many, many years and she does not feel as though it is her job to keep coming to the town to complain about these properties that are being neglected. The court system is not working if the owners are not complying with what the judge orders or the towns orders.

Discussion followed on the process of sending the owners an order to remedy and then after that a court appearance and then it is up to the court to determine the fines and schedule of clean ups the Town Board has no influence over a Judge’s decision.

Supervisor DePasquale stated that this Town Board is very active with dealing with the issue at 8680 State Road and are moving forward. Supervisor DePasquale stated that he will speak on behalf of the town to the courts to let them know that residents are not happy and are frustrated with not being more forceful with enforcing the rules of the town.

COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that a gazebo that was picked out by Martha Kalinowski has been ordered and should arrive sometime in April. The 14 x 30 foot gazebo will be placed next to the Veteran’s Memorial Park along with a plaque in honor of Alfred Kalinowski who bequeathed the money to the Town for the gazebo.

Councilman Zurbrick read a letter into record from Senator Gallivan who awarded the New York State Senate Liberty Medal to Richard Montgomery Jr., Patrick Hinchy and David Brown for their role in saving the life of an 18 year old Yorkshire man who was trapped in a burning car the letter is on file in the minute book.

- The blinds have been put up at the Senior Center.
- Colden Fire Company will be having a Pancake Breakfast on March 19<sup>th</sup> at the Colden Fire Hall.
- The Methodist Church will be having a Fish Fry on March 10<sup>th</sup> and March 24<sup>th</sup> starting at 4pm.

DOG CONTROL OFFICER REPORT

Councilman Arcara read DCO Kathy Horschel’s monthly report for February 5, 2017 – March 5, 2017: Sent out several court appearance tickets for overdue dog license and received a couple of responses back. A couple of calls about a grey pit bull on the loose on Holland Glenwood Road informed owner to keep dog on a leash when taking the dog outside. A Boston terrier was picked up on Holland Glenwood Road and returned to owner. Received calls about dogs missing from the Town of Boston the dogs returned the next morning. There was a call about a missing cat.

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#### ENVIRONMENTAL BOARD REPORT

No report

#### HIGHWAY REPORT & PARKS

Highway Superintendent reported that they are keeping up with the changing weather and there were still some roads that were closed due to fallen wires.

There was discussion on a generator that was given to the Highway department a few years ago from the Fire Company which has not been hooked up for use. Since the recent wind storm the power was out and there was a potential problem with being able to pump fuel into the trucks.

CEO John Kotlarsz will take a look at the generator to see if it still runs and if it is worth putting money into getting it up working.

Supervisor DePasquale asked Highway Superintendent Clarkson about having the new radios programmed to the same frequency that the Colden Fire Company uses this way the fire company could communicate with the highway department if needed in a storm or emergency.

Supervisor Depasquale suggested to Highway Superintendent Clarkson that when he leaves town for a vacation or conference that he leave the highway cell phone with the deputy in charge. When someone is trying to contact the highway department and they have to go through you when you are not in town it delays the issue in which they are calling about.

Highway Superintendent Clarkson stated that he needs the phone when he is away because he can receive the calls and contact whoever he put in charge to let them know what should be done and he also has vendors calling him for materials that might be needed to be purchased.

There was discussion on the highway cell phone being left in town with the person who is left in charge when the highway superintendent is out of the area on vacation or at a conference.

#### INSURANCE REPORT

Councilman Arcara reported that health insurance rates have increased up to 9%. A meeting will be held at a later date to discuss the new rates and capping figures on contributing for employee's health insurance coverage.

#### LIBRARY REPORT

Councilman Hrycik reported that on March 28<sup>th</sup> the Bookmobile will return to stopping at the Fire District at the corner of Center Street and Partridge Road from 2pm – 3pm and the Town Hall from 5pm – 7:30pm.

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West Falls-Colden Library is having a Digital Camera class on Wednesday, March 15<sup>th</sup> from 7:00pm to 8:30pm with Terry Tomczak of Terry's Photo. Bring your digital camera. No charge  
Boston Library is holding: Dinosaurs-Journey back through time to the land of dinosaurs. On March 11<sup>th</sup> from 11:00am-12:00pm. Register early.

#### PERSONNEL & TRAINING REPORT

No report

#### PLANNING BOARD REPORT

No report

#### WATER REPORT

Councilman Pietraszek reported that chlorine residuals are good.

- Two water leaks have been repaired.
- Water meter reader is not available yet.
- There are no grants available through Rural Water.
- Ron Smith has been taking weekly readings on the hill
- Greg Adams will be listening to individual water lines 2 to 3 times a year.
- Use of water has come down from the leaks being repaired.

#### YOUTH/ADULT RECREATION REPORT

Supervisor DePasquale stated that soccer sign up is in progress and Floor hockey is still being played on Thursday nights.

#### OLD BUSINESS

None

#### NEW BUSINESS

None

#### RESOLUTIONS

None

#### BUDGET TRANSFERS

None

#### TOWN CLERK REPORT

No report

**SUPERVISOR’S REPORT**

Supervisor DePasquale reported that the Town is going through an audit from the New York State Comptroller office and the examiner will be here a few more weeks. A report will be given at a later date.

**PAY BILLS**

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

|  |             |
|--|-------------|
| General Fund Warrant Voucher #2017-51 to #2017-88  | \$14,827.46 |
| Highway Fund Abstract Voucher #2017-23 to #2017-44 | \$36,035.91 |
| Refuse District Voucher #2017-03                   | \$18,033.11 |
| Water District Voucher #2017-09 to 2017 #-14       | \$ 6,187.42 |
| Lighting District Voucher #2017-02 to #2017-03     | \$ 2,078.82 |

**PRIVILEGE OF THE FLOOR**

A resident reported that the dogs that are housed at a residence on Park Street are still a problem they have approached people at the park along with the constant barking during various hours of the day and night.

Councilman Hrycik asked Highway Superintendent Clarkson if the town barns would be available this May for a tire recycling event. Highway Superintendent Clarkson stated that would not be a problem they actually have picked up some tires that were discarded on the sides of the roadways.

**ADJOURN**

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:30pm.

Respectfully submitted,



Christina M. Kerlin  
Town Clerk