

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

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
IN MEMORY OF DANIEL FOLARON AND BEAU WALCZYK.

PRESENT

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

ALSO PRESENT

EC Sheriff Deputy Miller  
CEO John Kotlarsz  
CEO Tom Dziulko  
Planning Board Chairman Walt Kammer  
Recreation Director Kip Palmateer  
Town Clerk Deborah Jusiak  
Springville Journal Editor Max Borsuk  
Approximately 4 residents

MINUTES TO BE APPROVED

MOTION made by Councilman Pietraszek, seconded by Councilman Hrycik, and unanimously approved the minutes from the Regular Town Board Meeting held on June 12, 2025.

OLD BUSINESS

Paul Cohn Microdispensary

The Town Board revisited Paul Cohn's request that the Town change its law to legalize agriculturally zoned cannabis sales and consumption in Colden. DePasquale spoke with the Town's attorney who stated that changing the law to accommodate one business could open the Town up to possible litigation. The Board suggested Cohn find other cases where microdispensary licenses have been granted to businesses in towns that have opted out and reapply to the Office of Cannabis Management.

NEW BUSINESS

None

## SAFETY

Deputy Miller reported the following:

### **June Colden Erie County Sheriff's Office (ECSO) Statistics**

48 Calls handled by ECSO  
39 Premise checks  
11 Traffic Stops  
17 Community Policing Contacts  
3 services other

34 Assist State Police  
CET has been attending town concerts  
Assisted with traffic for Fireworks- 1 DWI  
after the event.

## DEPARTMENT REPORTS

### BUILDINGS

DePasquale said he will begin researching items needed to repair the Town Hall front fascia and soffit and the Senior Center phone is scheduled to be repaired by Verizon.

### CODE ENFORCEMENT REPORT

Report for the month of June 2025 – CEO Dziulko read the following report:

8 Building Permits Issued	1 2 <sup>nd</sup> Order to Remedy
2 Certificate of Occupancy Issued	1 Court Appearance
6 Certificates of Compliance Issued	1 Fire Inspection

There are multiple violation notices to a few houses in Town and many open building permits.

### COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported that the Town concerts at the gazebo are underway. The Colden Seniors have two open trips: a history tour of Forest Lawn with lunch at Chef's held on Wednesday, September 10, 2025, and a trip titled Christmas Memories by Erie Station Dinner Theatre on Wednesday, December 10, 2025. Detailed information about the trips is located on the Town's website.

Also scheduled is a Safe Driver Class on Tuesday, August 26, 2025, from 6:00 – 10:30 pm, sign up at the Town Hall. A decorative milk can has been taken from the Bread of Life Outreach (BOLO) and they are looking for its safe return. Zurbrick requested that the following information be added to the minutes:

### Feed More Mobile Food Truck

The Food Truck Giveaway will be held on the 4<sup>th</sup> Thursday each month at the Colden Fire Hall.

### Gabe's on the Hill Hours:

Tuesday, 10am – 4pm  
Wednesday, 10am – 4pm

Thursday, 2pm – 5pm  
Friday, 10am – 4pm

Saturday, 9am – 2pm

BOLO Food Pantry Hours:

Thursday, 3pm – 5pm

Saturday, 9am – 11am

DOG CONTROL

Supervisor DePasquale read the following Dog Control Officer report:

- 6/9/25- 12:08pm DCO Zak received a phone call from EC Sheriff's about a dog bite to a Meals on Wheels provider. A Town Court hearing is set for Monday, July 14th at 5pm.
- 6/16/25-3:32pm Zak received a call from a resident on State Rd about dogs in her yard again. Zak spoke with the owner and explained that the matter could go back to court, and she would most likely be fined this time. The owner is working on better containment.
- 6/19/25 2:50pm A resident called to complain about her neighbor's dog in her yard again. Zak spoke to the neighbor about containment since this is 2nd time since August 2024.
- 6/26/25- 6:00pm Zak found a dog on Route 240 near Buffalo Ski Club. The dog is microchipped and the owner picked up and registered the dog.

DCO Zak performed a Kennel Inspection for Diane Kolotylo-Farish of 10025 Partridge Rd. The kennel was found to be in good condition. The owner is down to three dogs and may no longer want her Kennel Permit.

MOTION to approve Diane Kolotylo-Farish's Kennel Permit made by Councilwoman Zurbrick, seconded by Councilman Pietraszek and unanimously approved.

ENVIRONMENT

No Report

HIGHWAY AND PARKS

Supervisor DePasquale read the following Highway and Parks reports:

July Highway Report

~ Summer road work is well underway. We will be chip sealing the following roads this week tentatively:

- Darien from Hayes Hollow to Boies
- Finch
- Maltby Road
- Bleistein from Darien to dead end

~ The first round of road grass mowing is underway, and we are continuing with ditching and culvert repairs

### July Parks Report

~ Summer Rec has begun in the park. The disc golf traffic has increased with the completion of the back 9 holes.

~ Park maintenance continues

### INSURANCE

DePasquale reported that the Town Board has been looking into different employee health insurance plans, the NYS Empire Plan cost is higher than the Town's current plan. Supervisor DePasquale will send out information to the Town Board members and it will be discussed at the August Town Board Meeting.

### LIBRARY

Councilman Hrycik reported that the Boston Free Library hosted a successful pavilion party in June and will be having its annual Summer Jamboree on Thursday, July 24, 2025, at the Boston Town Hall Lions Center. The event includes vendors, music, food and a basket raffle. Both the Boston Free Library and the Colden West Falls Library have several ongoing summer programs.

### PERSONNEL

Councilwoman Zurbrick requested a follow-up be done with Town employees that have not completed their Comp Alliance training. The interviews for the Water Operator position are scheduled with the Town Board for July 22, 2025, beginning at 7:00 pm. Modifications to the Water Department budget may be needed to compensate the overseer of the Water Operator trainee.

### PLANNING

No Report

### WATER

Councilman Pietraszek read the following report:

**Usage update:** At present time consumption billed by ECWA 2,366,000 gal. cost \$ 9,558.64 + \$401.73 = \$ 9,960.37 expenditure.

- ECWA water cost \$4.04 / K
- Water usage for May– 55 G/M/31D
- Continue to replace registers with T10 & meters if broken with new NexT10, old registers are also replaced in issues.
- Rural Water checked the Park Street branch, found no leaks with their sounding devices yet found fluoride in ditch water. Questionable water leak at parking lot pit pressure release, Sergei to cap.
- Turned off hydrant #8 (last in BC lay), and hydrant 7 also leaking, Sergei is getting parts to fix.

- Rural Water due back out to listen to whole system again if capping old relief valve does not work

Water Billing:

- Open Accounts as of 05/01/2025 billing:

Water Charge (221 units)	\$20,670.95 (2,509,508 gal)
Infras + Capital Surchg	\$ 4,465.85
Arrears	\$ 5,341.77
<b>Total Billed Sent</b>	<b><u>\$30,478.57</u></b>
Current Receipts to date	\$23,994.39
Arrears to date	\$ 7,295.97

RECREATION

Recreation Director Palmateer reported the following:

- The Colden Summer Program is underway.
- We had a nice trip to Camp Ska-No-Ka-San on June 27th
- Our Next field trip is to Allegany State Park on July 21st
- Yoga class will run through July
- There will be a Defensive Driving Course held on August 25th at the Colden Fire Department

RESOLUTIONS

Supervisor DePasquale read the following resolution to modify the 2025 Highway budget to include additional CHIPS funds:

**TOWN OF COLDEN  
RESOLUTION #2025-6**

**MODIFICATION OF THE 2025 TOWN OF COLDEN ADOPTED ANNUAL BUDGET  
HIGHWAY FUND**

WHERE AS, the appropriated amount in the 2025 budget for line DA5112.4 was \$115,132.00.

WHERE AS, an increase was given to the NYS DOT CHIPS Program DA5112.4.

WHERE AS, the increase was not expected and not included in the 2025 budget.

WHERE AS, \$7,332.01 of additional revenue was added to the 2025-2026 NYS DOT CHIPS Program for the Town of Colden Highway Funds

WHERE AS, an additional \$7,332.01 will be added to budget line DA5112.4 CHIPS

NOW, THEREFORE BE IT RESOLVED, the Town Board of Colden modifies the 2025 Highway Fund Budget.

BE IT FURTHER RESOLVED, the Colden Town Board does hereby

MOTION made by Jess and seconded by Councilman Pietraszek and approved by the following vote:

On the Vote: Councilman Dennis Robinson - excused  
Councilman Jesse Hrycik - yes  
Councilwoman Patricia Zurbrick - yes  
Councilman Gerald Pietraszek - yes  
Supervisor James DePasquale – yes

Supervisor DePasquale read the following resolution to transfer funds from the Highway Fund Balance to finalize the purchase of the Highway Department plow trucks:

**TOWN OF COLDEN  
RESOLUTION #2025-7**

**MODIFICATION OF THE 2025 TOWN OF COLDEN HIGHWAY FUND DA5130.2  
MACHINERY-EQUIPMENT**

WHERE AS, the appropriated amount in the 2025 budget for line DA5130.2 was \$110,000.

WHERE AS, an additional \$80,000 is being allocated from the Highway Fund Balance to DA5130.2

WHERE AS, this modification will be used to complete the purchase of the final Freightliner plow truck as well as other budgeted equipment to be purchased this year.

NOW, THEREFORE BE IT RESOLVED, the Town Board of Colden modifies the 2025 Highway Fund Budget.

BE IT FURTHER RESOLVED, the Colden Town Board does hereby

MOTION made by Councilwoman Zurbrick and seconded by Councilman Hrycik and approved by the following vote:

On the Vote: Councilman Dennis Robinson - excused  
Councilman Jesse Hrycik - yes  
Councilwoman Patricia Zurbrick - yes

Councilman Gerald Pietraszek - yes  
Supervisor James DePasquale - yes

#### BUDGET TRANSFERS

Supervisor DePasquale stated that a budget transfer of \$1,348.73 is needed from Account A6772.4-Aging to Account A1910.4-Insurance to balance the line for Insurance.

MOTION made by Councilman Pietraszek, seconded by Councilman Hrycik and unanimously approved to transfer \$1348.73 from A6772.4 into A1910.4 to pay for insurance.

#### CLERK REPORT

Jusiak reported that Colden's tax collection season has ended, and outstanding taxes must be paid at Erie County. NYS Hunting licenses go on sale August 1, 2025. Waste Management is in the process of converting large 96-gal totes to small 65-gal totes for residents with a valid request.

#### SUPERVISOR'S REPORT

Supervisor DePasquale reported that Parks Worker Scott Kirby is holding a disc golf tournament at Kummer Park on October 12, 2025. Legislator Lindsay Lorigo is holding a series of community outreach meetings from 6:00 – 7:30 pm on September 16 at the Holland Town Hall, October 14<sup>th</sup> at the West Seneca Library and October 28<sup>th</sup> at the Aurora Town Library.

DePasquale stated that Rotella, Colden's grant management company, has offered the Town a decreased contract of \$1,000/month. Rotella may soon be administering the upcoming Park grant. The company is currently researching a "safe pathways" grant for the Town. Councilwoman Zurbrick and Officer Miller said they've had requests for a new sidewalk to be constructed along Park St. The Board will check whether this could be part of the pathways grant.

BOLO wrote a letter to thank the Town for its donation. DePasquale thanked the Fire Company with their help with traffic control during the July 5<sup>th</sup> celebration. DePasquale asked to change the August Town Board meeting to August 7<sup>th</sup> due to a schedule conflict.

MOTION made by Councilwoman Zurbrick, seconded by Councilman Hrycik and unanimously approved to change the August Town Board Meeting to August 7, 2025, at 7:00 pm. The change will be advertised online and in the Springville Journal.

#### PAY BILLS

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

General Fund	2025 Voucher #250 - 303	\$33,917.55
Highway Fund	2025 Voucher #87- 100	\$168,704.14
Water District	2025 Voucher #26 - 30	\$11,020.37

Lighting District	2025 Voucher #8	\$2,097.54
Refuse District	2025 Voucher #6	\$31,595.24

#### PRIVILEGE OF THE FLOOR

A resident asked who is the Town's Attorney? DePasquale answered Ron Bennett is the Town Attorney and Joel Kurtzhals is the Town's trial attorney. Another resident wanted to clarify that the Waste Management customer ID numbers are individual and not needed to schedule pickups.

#### ADJOURN

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

MEETING ADJOURNED AT 8:15 PM

Respectfully submitted,

Deborah Jusiak  
Town Clerk