

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

SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
IN MEMORY OF MABEL PAUL FOLLOWED BY THE PLEDGE OF ALLEGIANCE

PRESENT

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

ALSO PRESENT

CEO John Kotlarsz  
CEO Tom Dziulko  
Highway Superintendent Lee Wohlhueter  
Planning Board Chairman Walt Kammer  
Deputy Town Clerk Crystal Barrett  
Erie County Sheriff Deputy Shane Miller  
Springville Journal Editor Max Borsuk  
Approximately 2 residents

MINUTES TO BE APPROVED

MOTION made by Councilwoman Zurbrick, seconded by Councilman Robinson, and  
unanimously approved the minutes from the Regular Town Board Meeting held on July 10,  
2025.

SAFETY

Deputy Miller reported the following:

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

78 Calls handled by ECSO  
37 Premise checks

10 Community Policing Contacts  
2 Arrests

Miller has been attending the Town's concerts and other events. He requested people lock their  
cars and doors as there have been multiple thefts and break-ins in many of the surrounding  
towns.

OLD BUSINESS

None

## NEW BUSINESS

None

## DEPARTMENT REPORTS

### BUILDINGS

Councilman Robinson spoke about the new panel and electrical conversion at the Highway Garage and thanked CEO Kotlarsz for his help. He said Supervisor DePasquale will evaluate the corner of the Town Hall fascia and soffit.

### CODE ENFORCEMENT REPORT

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

- 11 Building Permits Issued
- 1 New Dwelling Permit Issued
- 4 Certificates of Compliance Issued
- 1 Second Notice Order to Remedy Violation
- 3 Fire Inspections

CEO Dziulko addressed several complaints received from a resident on Murray Hill Rd; one about a vacant parcel containing a shed and camper, the owner will be contacting code enforcement, a second concerning a landowner performing site work and a privately owned gas well, those are not under the Town's authority and the third complaint about a possible business being conducted out of a pole barn, CEOs will investigate.

Dziulko addressed another set of complaints between two disputing neighbors on Center St. The complaints involve dogs barking all night long and multiple unregistered vehicles. The dog owner was cited by DCO Zak and Dziulko inspected the parcel with multiple vehicles and found three unregistered vehicles.

The CEOs issued a second order to remedy regarding tall grass at 8688 Hayes Hollow Rd and the grass at the Dollar General is long, but its contract only allows thirteen mows per season.

### COMMUNITY DEVELOPMENT

Councilwoman Zurbrick reported that the Colden Seniors will not meet on Tuesday, August 12, 2025, and there is a trip to Erie Station Dinner Theatre scheduled for December 10, 2025, sign up with Councilwoman Zurbrick.

### DOG CONTROL

Councilman Robinson read the following report:

7/15/25- DCO Zak spoke with Supervisor Depasquale about a complaint from a Center Rd resident about dogs barking at 7400 Center Road. Zak delivered a complaint and appearance ticket to the dog owner.

7/20/25- A resident from 9313 State Road called to inform Zak that her dog had got out but

called back an hour later to inform her that it was found.

7/20/25- A resident of 7552 Center Street was bitten by her neighbor's dog while defending her cat. She was taken to a hospital who notified the NYS Department of Health. The victim does not want to press charges, and the neighbor is paying for all her medical bills.

7/21/25- Zak attended court for bite incident with a Meals on Wheels volunteer. The Town Court determined that the dog was dangerous and should be euthanized.

## ENVIRONMENT

No Report

## HIGHWAY AND PARKS

Superintendent Wohlhueter read the following report:

### Highway Report

The oil and stonework are complete for the season. We would like to thank the Village of Springville, and the towns of Aurora, Boston, Concord, and Sardinia for their help.

Amend the Agreement to spend. Upon evaluation of the roads after the winter, Superintendent Wohlhueter determined that parts of Murray Hill Rd experienced pavement failure and requested to amend the Agreement to Spend by taking \$34,431.17 scheduled for Crump Rd projects and using the funds for shoulder and blacktop repairs to Murray Hill Rd and Murray Hill Rd turn-around.

MOTION made by Supervisor DePasquale, seconded by Councilwoman Zurbrick, and unanimously approved to amend the Agreement to Spend to remove the \$34,431.17 allotted to projects on Crump Rd and reappropriate it to repairs needed on Murray Hill Rd.

Superintendent Wohlhueter asked the Board to surplus the following equipment to Auctions International:

- 2000 Zetor tractor
- 2016 Dodge Ram 4500 with plow and sander
- Karcher HDS 650 power washer
- Used set of Excavator tracks
- Rhino ditch bank mower

MOTION made by Councilman Robinson, seconded by Councilman Hrycik, and unanimously approved to surplus the equipment listed above.

Wohlhueter reported that the Town received official notification from the NYS DOT about a new speed limit reduction to 30 mph on Gutekunst Rd. Wohlhueter has the new signs and will let Deputy Miller know as soon as they are posted.

### Parks Report

Work on the frisbee golf course continues with temporary signage for the tee pads to help players find their way around.

Park mowing and maintenance continues.

Councilwoman Zurbrick asked employees to double check that all the building doors are locked and that the vehicles not be kept running while not in use.

### INSURANCE

Councilman Robinson researched employee health plans and found the best affordable option is through the Town's current provider, Highmark Blue Cross and Blue Sheild (BCBS). The Town Board determined that Town employees would get a choice between paying 5% of the premiums of the BCBS Platinum plan or switching to the BCBS Silver plan. The Silver plan will not cause an increase in employees' contributions. The Board proposed that any new hires pay 15% of the healthcare premiums and the change will be made to the Personnel Policy. Insurance for the Supervisor position must be budgeted because it's eligible for insurance. All plans and employee contributions will be reviewed annually.

MOTION made by Councilman Hrycik, seconded by Councilman Robinson and unanimously approved to offer employees a choice between the Platinum plan with employees paying 5% of the monthly premium or the Silver plan with the employees' contribution to remain the same and to have new hires to be responsible for 15% of the monthly premiums.

### LIBRARY

Councilman Hrycik gave the following report:

The Boston Free Library's summer jamboree was a success, profits from the event help to fund building improvements and other projects. They are currently hosting a weekly preschool program, adult chi flow, a ukulele class and a craft program. Fall programing will begin shortly. The site is adding equipment including shredder, fax machine, laminator and an Epsom printer for onsite use. The West Falls Library is hosting a preschool story hour.

### PERSONNEL

Councilwoman Zurbrick reported that Cathy Geist has been appointed the new Executive Director of BOLO, and all Town employees and volunteers should receive Comp Alliance training, contact the Supervisor's Office for assistance.

### PLANNING

Councilman Hrycik reported that there was no July Planning Board meeting. Planning Board Chairman Kammer reported that the Town is waiting for NYS DEC's wetlands jurisdictional determination to begin work at Kummer Park and is coordinating with Nussbaumer and Clarke about a Park spending plan for Cares Act funds. Park project work performed by the Planning Board will count as in-kind services towards the Town's matching total.

The Board and Kammer discussed the possible need for guardrail along the creek line at the Senior Center parking lot and getting a survey for the Senior Center. Chairman Kammer estimates \$800 – \$1,100 for the Senior Center survey, the cost was included in the Planning Board's 2025 budget.

MOTION made by Councilwoman Zurbrick, seconded by Councilman Pietraszek and unanimously approved to have Nussbaumer and Clarke survey the Senior Center property.

## WATER

Councilman Pietraszek gave the following report:

- **Usage update:** At present time consumption billed by ECWA 2,789,000 gal. cost \$ 9,558.64 + \$401.73 = \$ 9,960.37 expenditure.
  - ECWA water cost \$4.02 / K
- Water usage for May– 55 G/M/31D
- Continue to replace meters and registers if broken with new NexT10,
- A water leak in parking lot pit pressure release was capped by Sergei, non-significant was loss accounted for.
- Turned off hydrant #8 (last in Boston Colden Rd layout) Sergi is getting parts to fix.
- Greg believes we have 2 leaks in the trailer park area on the customer side of shutoff; issue is still pending.
- More than 10 meters are not reading.

## Water Billing:

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

Water Charge (221 units)	\$26,204.27 (3,529,004 gal)
Infras + Capital Surchg	\$ 4,165.85
Arrears	\$ 6,661.59
<b>Total Billed Sent</b>	<b>\$37031.71</b>
Current Receipts to date	\$ 0.00
Arrears to date	\$ 6,661.59

Councilman Pietraszek reported that Jesse Burgwardt was hired as the Town's new Water Operator, and the Town of Elma Water Department has offered to provide oversight for Jesse for one year for no charge.

MOTION made by Councilman Pietraszek, seconded by Councilwoman Zurbrick and unanimously approved to hire Jesse Burgwardt to be paid at the current water operator hourly rate with no benefits, hours to be submitted by time sheet. He has a 1-year probation to be reviewed after 6 months.

Councilman Pietraszek read the following resolution stating that the Town of Elma will provide the Town's Water Department with oversight for a year:

**Town of Colden  
Resolution  
Town of Colden Water Department and Town of Elma Water Department mutual  
agreement for the Town of Elma to assist the Town of Colden Water Department**

Where AS, the Town of Elma originally assisted the Town of Colden in the creation of the Town of Colden Water District #1,

WHERE AS, the Town of Colden has employed a new water worker who will take over the duties as a Class 'D' operator, as of August 4, 2025,

WHERE AS, the Town of Colden water worker is required to work under the guidance of a registered Class 'D' operator for up to one year,

WHERE AS, the Town of Elma Water Department has agreed to provide guidance in this respect, with occasional visits to the Town of Colden as necessary,

NOW, THEREFORE BE IT RESOLVED, the Town of Colden Water Department and the Town of Elma Water Department mutually agree to such an agreement.

MOTION made by Supervisor DePasquale, seconded by Councilman Pietraszek and unanimously approved to accept the resolution.

Councilman Pietraszek stated that a fire hydrant on State Rd by Finch Rd is scheduled to be raised so it can be accessed by the fire department, currently the new guardrail obstructs the hydrant.

**RECREATION**

Councilwoman Zurbrick read the following report:

- The summer program concludes today.
- Swimming lessons conclude on August 14th
- A new Yoga class will be coming in September.
- A Pickleball class will be held on August 25th at 6:30 pm at Kummer Park
- A Defensive Driving Course is scheduled for August 26th from 6-10:30 pm at the Colden firehall.

**RESOLUTIONS**

Supervisor DePasquale reported that Town Court conducted a Security Assessment to determine whether increased safety measures are needed in the building. Recommended improvements

included installing a safety door and safety glass window in the Court office, a partition separating the bench from the public area and using both constables as needed. Supervisor DePasquale read the following resolution:

### **JUSTICE COURT ASSISTANCE PROGRAM GRANT**

WHEREAS, The Town of Colden Court System services the needs of the NYS Department of Environmental Conservation Enforcement, the NYS Police and the Erie County Sheriffs,

WHEREAS, The Town of Colden Court System performed a Security Assessment to determine which safety improvements would be beneficial for the protection of the Colden Court System employees and the public,

WHEREAS, The Town of Colden Court System is continually interested in upgrading and improving its equipment to better serve not only the public, but also cooperating municipalities,

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Colden authorizes the Colden Town Court to apply for a Justice Court Assistance Program Grant in the 2025-2026 grant cycle up to \$30,000.00.

MOTION made by Councilman Hrycik, seconded by Councilman Robinson and unanimously approved to accept the resolution.

### **BUDGET TRANSFERS**

None

### **CLERK REPORT**

Deputy Town Clerk Barrett reported that Hunting Licenses and Doe Tags are on sale now.

### **SUPERVISOR'S REPORT**

Supervisor DePasquale obtained a \$5,000 grant from Erie County Legislator Lindsay Lorigo's office for Town seniors. The Board discussed using the grant to purchase new tables and new flooring at the Senior Center. DePasquale also received a \$1,500 grant for historical records preservation.

### **PAY BILLS**

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

General Fund	2025 Voucher #304 – #355	\$30,491.29
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Highway Fund	2025 Voucher #101 – #114	\$113,522.02
Water District	2025 Voucher #31– #34	\$106,124.29
Lighting District	2025 Voucher #9 – #10	\$2,301.32
Refuse District	2025 Voucher #7	\$31,995.88

#### PRIVILEGE OF THE FLOOR

Councilman Pietraszek asked about the status of the address sign project. Supervisor DePasquale will begin by doing one road at a time and will add in the addresses of the new homes.

#### ADJOURN

MOTION made by Councilman Robinson to adjourn the meeting and unanimously agreed.

MEETING ADJOURNED AT 8:20 PM

Respectfully submitted,

Deborah Jusiak  
Town Clerk