

TB Mtg and 2014 Org Mtg  
REGULAR TOWN BOARD MEETING AND  
2014 ORGANIZATIONAL MEETING  
COLDEN TOWN HALL – January 3, 2014

MEETING CALLED TO ORDER AT 7:00 PM  
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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

ALSO

PRESENT: Town Justice William Montgomery  
Highway Superintendent Paul Clarkson  
Bldg. Insp/Code Enf. Officer John Kotlarsz  
Town Clerk Christina Kerlin  
Approximately 25 Residents

2014 ORGANIZATIONAL MEETING

Page 1 Read by Councilman Zurbrick

RESOLVED THAT **First Niagara Risk Management, Inc.** be the insurance agent for the Town of Colden for the year of 2014.

RESOLVED THAT this Board approve as the form and amount the Employee's Blanket Bond—which includes the offices of Supervisor & his Secretary, Highway Superintendent, Town Justices, Court Clerk, Town Clerk—Tax Collector, and her Deputy, Peace Officer, Councilmen, Youth Supervisors, Code Enforcement Officers, Dog Control Officer & Emergency Manager and Water Clerk.

RESOLVED THAT the regular monthly meeting of the Colden Town Board shall be held on the second Thursday of each month at **7:00 PM** for the regular time and date of the Town Board meeting unless otherwise resolved to change and that the October Board Meeting be held on the (Meetings 2014—October 2<sup>nd</sup> and November 6<sup>th</sup>)

RESOLVED THAT any business to be brought to the attention of the Colden Town Board by any elected or appointed official or by the public be submitted for the agenda **72 hours** prior to a meeting.

RESOLVED THAT **The Springville Journal** be the official newspaper of the Town of Colden for the year 2014.

RESOLVED THAT **ALL BOARDS** receive a copy of the unapproved **Board Minutes (from all Town Boards)** for public review within **ten business days** from the date of such meetings. (Open Meeting Law 106) All Boards to receive a copy of the **agenda 48 hours** prior to the meeting.

RESOLVED THAT the Town Board will hold a work session the **first Thursday** of each month at **7 PM** at the Town Hall. If a work session is not necessary and the Town Board does not meet it will be posted on the front door of the Town Hall.

RESOLVED THAT **Michael Schneider & Paul Sobkowiak** be appointed Constables to the Justices for the year 2014. **Robert Chilson** to be appointed as Assistant Constable when regular constables are not available. All constables to serve with compensation of \$16.91 an hour to be paid bi-weekly.

RESOLVED THAT **Ronald Bennett** be appointed contractually as Attorney for the Town in accordance with Section 20 (2) (b) to serve as needed at a fee of \$150.00 per hour for general municipal legal services and \$195.00 per hour for court municipal litigation. One (1) year term ending December 31, 2014.

RESOLVED THAT **Michael & Deborah Barone** be appointed as Town Prosecutors at a rate of **\$100.00 per hour**.

RESOLVED THAT **Mark Adamchick** be the Certified Public Accountant for the Town of Colden for the year 2014 at \$4,800.00 per year.

MOTION made by Supervisor DePasquale and seconded by Councilman Zurbrick and unanimously approved to accept Page 1 of the 2014 Organizational Meeting with the following additions the Water Clerk to be included in the Employee's Blanket Bond and all Town Boards unapproved minutes for public review within ten business days.

Page 2 Read by Councilman Arcara

RESOLVED THAT **Christina Kerlin** be appointed as Highway Account Clerk Typist at a salary of \$2,491.00 yearly to be paid bi-weekly.

RESOLVED THAT Supervisor DePasquale appoints **Tammy Nuttle** as Secretary to the Supervisor at a salary of \$22,003.80.

RESOLVED THAT Town Clerk appoints **Carolyn Maybach** as Deputy Town Clerk at a salary of \$22,003.80.

RESOLVED THAT **Christina Kerlin** be appointed as the Record Access Officer to accept and receive all **FOIL** requests.

RESOLVED THAT **Christa Pouthier** be appointed as Dog Control/Dog Census Officer with a salary of \$4,441.00 yearly to be paid bi-weekly. The DCO shall assume responsibility for preparing a monthly report to the Town Board on duties performed with full details according to town code. DCO shall submit a town wide dog census to the Town Clerk no later than August 31, 2014 and will be compensated for mileage at \$.555 per mile.

RESOLVED THAT **Matthew Pouthier** be appointed as assistant to the DCO with a salary of \$1,545.00 per year. Position to oversee and submit a town wide dog census to the Town Clerk no later than August 31, 2014.

RESOLVED THAT the **DCO** be authorized to accept and obtain all information and certificates pertaining to the licensing of a canine in order to release a seized canine to the owner outside of regular business hours. All information and certificates collected will be turned over to the Town Clerk on the next regular business day for processing.

RESOLVED THAT **John Kotlarsz** be appointed as Code Enforcement Officer in charge of Zoning & Enforcement with a salary of \$11,890.00 yearly to be paid bi-weekly.

RESOLVED THAT **Gregory Adams** be appointed as Assistant Code Enforcement Officer regarding Zoning, Enforcement & Fire Inspection Officer with a salary of \$5,105.00 yearly to be paid bi-weekly.

RESOLVED THAT **Raymond Wozniak** be appointed as Water Worker for the period of January 1, 2014 through and including February 28, 2014 at a rate of \$400.00 per month till term expires on February 28, 2014 which includes three hours (3) per week labor, if needed. Any hours in excess of three (3) per week during this time period will be compensated at the rate of \$23.11 per hour to be paid bi-weekly.

RESOLVED THAT **Greg Adams** be appointed Assistant Water Worker at a rate of \$11.25 per hour as needed with no benefits and as of March 1, 2014 will assume the Water Worker position. Employee to be paid at the first payroll following service rendered.

RESOLVED THAT **David Kummer** be appointed Town Maintenance Worker at a rate of \$23.11 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved to accept Page 2 of the 2014 Organizational Meeting with the following changes Raymond Wozniak term as Water Worker expires on February 28, 2014 and Greg Adams be appointed March 1, 2014 as Water Worker.

Page 3 Read by Councilman Hrycik

RESOLVED THAT **Gerry Pietraszek** be appointed Water Administrator at an annual rate of \$144.00 to be paid bi-weekly.

RESOLVED THAT **TBA** be appointed as Water District Clerk at an hourly rate of \$11.59 per hour to be paid bi-weekly.

RESOLVED THAT **Roy Bergman** be appointed as Planning Board Chairman.

RESOLVED THAT attendance at board sessions is an essential responsibility of board members. Failure to attend 70% of sessions is grounds for revocation of appointment. Similarly, failure to meet minimum standards for annual training as established by State Law is considered cause for removal.

RESOLVED THAT **Jodi Donahue** be appointed as Secretary of the Board of Assessment Review, Planning and Environmental Boards & Zoning with a wage of **\$11.25** per hour. Minimum payment one hour to be paid bi-weekly.

RESOLVED THAT the Town of Colden Tax Assessor be authorized to relevel any unpaid water bills to be submitted prior to November 20<sup>th</sup> of each year.

RESOLVED THAT **Frances Smith** be appointed as substitute secretary to the Board of Assessment Review, Planning and Environmental Boards & Zoning with a wage of \$12.72 per hour.

RESOLVED THAT **Stephanie Bacon** be appointed as court clerk with a wage of \$13.00 per hour. Minimum payment one hour to be paid bi-weekly.

RESOLVED THAT **Rene Bystryk** be appointed as Court Clerk with a wage of \$12.35 per hour. Minimum payment one hour to be paid bi-weekly.

RESOLVED THAT **Paula Bielat** be appointed as Court Stenographer with a wage of **\$100.00** for three hours worked to be paid contractually.

RESOLVED THAT **Kip Palmateer** be appointed as Recreation Supervisor at a yearly salary of \$10,228.00 to be paid bi-weekly with no benefits.

RESOLVED THAT **Tina Mary** be appointed as Recreation Assistant Supervisor at a yearly salary of \$5,114.00 to be paid bi-weekly with no benefits.

RESOLVED THAT **Jamie Ruhland** be appointed as Recreation Assistant Supervisor at a yearly salary of \$4,635.00 to be paid bi-weekly with no benefits.

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved Page 3 of the 2014 Organizational Meeting.

Page 4 Read by Councilman Pietraszek

RESOLVED THAT **Tere Feidt** be hired as Parks Department employee at a rate of \$16.28 per hour and **David Kummer** be appointed as part-time Parks Department employee at a rate of \$11.25 per hour for snow removal from sidewalks.

RESOLVED THAT **Lynda Easton** be hired as part-time cleaner for the Senior Center and the Town Hall at a rate of \$11.59 per hour.

RESOLVED THAT **Laura Shrems** be hired as part-time substitute cleaner for the Senior Center and the Town Hall at a rate of \$11.59 per hour.

RESOLVED THAT **Kenneth Heiler** be appointed to the Northeast South Towns Waste Management Board and Director of Veteran Affairs.

RESOLVED THAT **Scott Wohlhueter** be appointed as Disaster Coordinator and **Paul Clarkson** be appointed as Assistant Disaster Coordinator.

RESOLVED THAT **Christina Kerlin** be appointed as Registrar of Vital Statistics at a salary of \$491.00 yearly to be paid bi-weekly. (This runs concurrent with the Town Clerk term which expires in 12/31/15.)

## WAGES & SALARIES

RESOLVED THAT HOURLY EMPLOYEES be paid the following salaries, commencing January 1, 2014 to be paid bi-weekly unless otherwise noted:

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Motor Equipment Operators:	\$22.66 per hour
Skilled Laborers:	\$10.50 - \$14.20 per hour new employees at bottom of scale
Recreation Workers:	up to \$8.74 per hour
Tennis Instructor:	up to \$10.50 per hour
Umpires & Referees:	\$15-\$18 for Soccer, \$12 for Baseball; \$15 for Floor Hockey
Court Stenographer	\$100.00 per 3 hrs./min. 3 hrs.
Board of Assessment Review	\$8.00 per hr. or \$50.00 a day for school/review (whichever greater)
Historian	\$325.00 yearly

All the following positions are yearly salary to be paid bi-weekly:

Budget Officer	\$ 2,165.00
Councilmen	\$ 4,904.00
Supervisor	\$26,641.00
Justices	\$10,726.50
Town Clerk	\$36,178.00
Highway & Park Superintendent	\$56,650.00
Assessor	\$18,000.00

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved Page 4 of the 2014 Organizational Meeting.

Page 5 Read by Councilman Arcara

RESOLVED THAT warrants and abstract checks to be paid within terms of invoice or seven days of authorization.

RESOLVED THAT Bank of Holland be designated as the official depository for all Town of Colden funds. ALSO RESOLVED THAT Supervisor DePasquale is authorized to endorse checks, withdraw or transfer funds with the Bank of Holland and Patricia Zurbrick is authorized to endorse checks in the event the Supervisor is absent.

RESOLVED THAT Tammy Nuttle is hereby authorized by the Supervisor to obtain information and direct telephone transfers for all Town of Colden Checking and Savings accounts.

RESOLVED THAT the Investment Policy for the Town of Colden be adopted.

RESOLVED THAT the Procurement Policy for the Town of Colden be adopted.

RESOLVED THAT the Supervisor be authorized to invest any surplus monies and tax monies as prescribed by law, wherever most advantageous rates are available.

RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board authorizes payment of claims presented to the Town Board and such voucher shall be accompanied by a statement by the officer who originates the claim that he approves the claim and the services were actually rendered or supplied and the equipment actually delivered in lieu of the verification of the creditor.

RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board may permit the Supervisor to pay claims for public utilities, insurance, debt service, postage, freight and express charges, before they are audited or reviewed by the Town Board.

RESOLVED THAT the Highway Superintendent be requested to present with all vouchers, signed invoices showing who received what material and on what date.

RESOLVED THAT all officers be permitted to attend meetings of a legal nature and be reimbursed for the costs. Conferences should be told to the town board prior to attendance. Dues for national, state and county associations shall be paid by the Town of Colden from General Funds.

RESOLVED THAT all employee reimbursement requests are submitted within 60 days of said expenditures to be eligible for payment within the budgetary year.

RESOLVED THAT any official using his automobile on Town Business shall be reimbursed on the basis of \$.555 per mile, upon submission of a duly executed voucher, stating the date, reasons for travel and the number of miles. That food allowance for employees who attend business meetings or seminars for the Town of Colden be allowed to \$70.00 per day. Food Allowance for NY City will be \$125.00 a day. Receipts will be required for reimbursement.

RESOLVED THAT Meals on Wheels volunteers for the Town of Colden be reimbursed on the basis of \$.555 per mile, upon submission of a duly executed voucher, stating the date(s) and number of miles.

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved Page 5 of the 2014 Organizational Meeting.

Page 6 Read by Superviosr DePasquale

RESOLVED THAT the Tax Collector & Town Clerk retain a petty cash fund of \$100.00 each during 2014, Supervisor retain a petty cash fund of \$200.00 during 2014, Water District Clerk retains a petty cash fund of \$150.00.

RESOLVED THAT the Town Clerk retain a petty cash fund of \$100.00 during 2014 for collection of Water District Payments.

RESOLVED THAT the Supervisor be authorized to pay the bills for all funds including payroll and the Town Board shall audit the bills every month prior to the Town Board meeting.

RESOLVED THAT the Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year a copy of the report sent to the State Comptroller as required by Section 30 of the General Municipal Law; and thereafter a summary of such report to be published pursuant to law. Upon written request from the chief fiscal officer, the comptroller may extend the period for filing such report for an additional sixty days.

NEXT ITEMS ARE APPOINTMENTS & COMMITTEES

I appoint **David Freeman** as Town Historian

I appoint **David Arcara** as Affirmative Action Officer

Town Law Section 6 authorizes the Supervisor to appoint solely in his or her discretion, committees consisting of the members of the Town Board. Since the Supervisor has the discretion in regards to the creation of these committees as well as appointments of the Town Board member, the Supervisor also has the discretion of which matters are referred to the committee.

**The following committees for the year 2014 appointed by the Supervisor:**

Buildings	Councilman <b>Arcara</b>
Insurance	Councilman <b>Arcara</b>
Highway & Parks	Superintendent <b>Clarkson</b>
Planning	Councilman <b>Hrycik</b>
Environment	Councilman <b>Pietraszek</b>
Community Development	Councilman <b>Zurbrick</b>
Library	Councilman <b>Hrycik</b>
Solid Waste & NEST	Councilman <b>Hrycik</b>
Youth/Adult Recreation	Councilman <b>Zurbrick</b>
Street Lighting	Councilman <b>Zurbrick</b>
Personnel & Training Coordinator	Councilman <b>Zurbrick</b>
Dogs	Councilman <b>Arcara</b>
Water District	Councilman <b>Pietraszek</b>

MOTION made by Supervisor DePasquale and seconded by Councilman Pietraszek and unanimously approved Page 6 of the 2014 Organizational Meeting.



Page 7 Read by Supervisor DePasquale

**Planning Boards (7 – 7 Year Appointments)  
Meets the 3<sup>rd</sup> Tuesday of each month @ 7 PM**

<b>Frank Hrycik</b>	December 31, 2014
<b>Roy Bergman</b>	December 31, 2015
<b>George Reinhardt</b>	December 31, 2016
<b>John Antkowiak</b>	December 31, 2017
<b>Walter Kammer</b>	December 31, 2018
<b>Richard Sheldon</b>	December 31, 2019
<b>Linda Kotlarz</b>	December 31, 2020

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved Page 7 of the 2014 Organizational Meeting.

Supervisor DePasquale stated that the appointments for the Chairmen's of the Environmental Board, Zoning Board of Appeals and the Board of Assessment Review will be done at a later date. The Town Board has received two resignations from those boards.

Supervisor DePasquale thanked James Reichert, Jennifer Okal and Shirley Marie Sheldon for their time serving on their boards and giving back to the Town.

Organizational meeting adjourned at 7:25pm.

Recessed for fifteen minutes for review of the Town Board Books for the Supervisor/Bookkeeper, Town Clerk/Tax Collector and Town Justices.

Supervisor DePasquale called the Town Board meeting back to order at 7:40pm.

**REGULAR TOWN BOARD MEETING  
COMMITTEE REPORTS**

MINUTES:

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek to approve the December 17, 2013 Town Board Meeting as presented.

On the Vote:	Councilman Hrycik – abstained
	Councilman Arcara – yes
	Councilman Zurbrick – yes
	Councilman Pietraszek – yes
	Supervisor DePasquale - abstained

#### BUILDING & INSURANCE COMMITTEE REPORT

Councilman Arcara suggested purchasing a roof rake for use at the Town Hall to eliminate the snow build up on the roof.

Senior Center is still being left open at times.

Discussion took place on how many keys have been handed out and possible changing the locks at the Senior Center and Highway Garage. Keys will be monitored as to who has them

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved the locks to be replaced at the Senior Center and Highway garage and keys will be monitored. The Senior Center keys will be issued out the day they are needed and returned to a drop box after use of the Senior Center with the exception that the Senior President and Highway workers will receive a key for their use of the building.

#### HIGHWAY REPORT & PARKS

No report

Supervisor DePasquale thanked the Highway Department for their work keeping the roads clear through the recent winter storms.

#### PLANNING BOARD REPORT

No Report

#### ENVIRONMENTAL BOARD REPORT

No Report

#### COMMUNITY DEVELOPMENT REPORT

No Report

#### LIBRARY REPORT

No report

#### SOLID WASTE & NEST COMMITTEE REPORT

No Report

#### YOUTH/ADULT RECREATION REPORT

Councilman Zurbrick reported that floor hockey will start January 17, 2014.

#### STREET LIGHTING REPORT

Councilman Zurbrick reported that inventory has been done on the Historical lights to see which ones are out and submitted for repair.

PERSONNEL REPORT

Councilman Zurbrick distributed the final changes to the Personnel Policy for review at the next Town Board Workshop.

DOG CONTROL OFFICER REPORT

No Report

CODE ENFORCEMENT OFFICER REPORT

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

- 6 Building permits issued
- 1 Certificate of Occupancy
- 2 Certificate of Compliance

AT&T is working on upgrading equipment on existing tower at Buffalo Ski Club on Route 240.

Building Report for the year 2013:

- 66 Building permits
- 7 New Homes
- 10 Certificates of Occupancy
- 27 Certificate of Compliance
- 3 First Notice of Violations
- 2 Order to Remedy
- 2 Court Days
- 1 Stop Work Order
- 12 Fire Inspections

Total fees for the year 2013 collected were \$4,915.00

WATER COMMITTEE REPORT

Councilman Pietraszek reported the 3” relief valve has been replaced behind the Town Hall along with a new drain and wiring was run up the line for the alarm system.

Repaired a water leak to a private service under the road on Route 240 the copper lines degraded so bad that it caused a bad leak. Greg Adams will be going around the water district listening to the shut off valves at each residence.

DIRECTOR OF VETERANS AFFAIRS

No report

OLD BUSINESS

None

NEW BUSINESS

Supervisor DePasquale amended the agenda to include the Pitney Bowes Agreement and Aurora Consulting Group.

Pitney Bowes Service Agreement

Town Board agreed to keep to the following Pitney Bowes Services Agreement of 48 months at \$43.05 billed quarterly at \$129.15 and possible upgrading the postage machine in the future.

Aurora Consulting Group

Supervisor DePasquale has contacted Aurora Consulting Group to schedule a meeting to work on a quote for web-site and backup server for the Towns computers.

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved to hire Aurora Consulting Group at \$85.00 an hour to work up a proposal on a backup server to the computers at the Town Hall and Highway along with hosting a website.

RESOLUTIONS

None

BUDGET TRANSFERS

Motion made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously approved to transfer the following funds.

2013 Highway Budget Transfer Request

FROM: DA5110.4	General Repairs	\$8,778.29
INTO: DA5142.4	Snow Contractual	\$3,998.91
DA5110.41	Fuel	\$3,890.61
DA5130.56	Machinery Contractual	\$ 888.77

TOWN CLERK REPORT

None

SUPERVISOR'S REPORT

Supervisor DePasquale reported that it has been two days in office so there is not much to report except that there is a lot involved with the Supervisor position and he publicly would like to thank the former Supervisor Annie Hoffman for being the Supervisor for the last four years. His door is always open for anyone who would like to see him and he would listen to anything brought to him.

PAY BILLS

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

General Fund Warrant Voucher #2013-477 to #2013-497	\$29,103.15
Highway Fund Abstract Voucher #2013-158 to #2013-168	\$25,455.05
Lighting District Voucher #2013-23	\$ 638.59
Refuse District Voucher #2013-40	\$16,188.48
Water District Voucher #2013-89 to #2013-93	\$ 8,101.05
General Fund Warrant Voucher #2014-01 to #2014-10	\$ 5,241.95
Highway Fund Abstract Voucher #2014-01	\$ 1,788.39
Refuse District Voucher #2014-01	\$16,518.60
Water District Voucher #2014-01 to #2014-02	\$ 440.44

PRIVILEGE OF THE FLOOR

Michelle Roberts asked the Supervisor what his office hours will be.

Supervisor DePasquale stated that his hours will be monthly and will vary; you can contact his secretary for his monthly hours to be reached. On a day that he is not in his office he will get back to you within 24 hours. If he is unable to meet with you he will appoint a Councilman to meet you.

Michelle Roberts had some questions on the Meals on Wheels program which she will e-mail to Supervisor DePasquale.

Bernie Horschel asked for clarification on the water line break on Route 240.

Marilyn Calhoun-Allen thanked Supervisor DePasquale for his hours during the daytime and being available for whenever he can.

Paula Calleri asked Supervisor DePasquale how he arrived with the Aurora Consulting Group since he has only been in office two days and seems like a big undertaking.

Annie Hoffman stated that I-Evolve hosted the website and they do not maintain the website.

ADJOURN

MOTION made by Supervisor DePasquale and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:31 pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk

