

TB MTG October 9, 2014  
TOWN BOARD MEETING  
COLDEN TOWN HALL – October 9, 2014

MEETING CALLED TO ORDER AT 7:00pm

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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

ALSO: Highway Superintendent Paul Clarkson  
Town Clerk Christina Kerlin  
Approximately 17 residents

#### MINUTES

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved to accept the minutes of the September 4, 2014 Town Board Workshop and the September 11, 2014 Town Board Meeting as presented.

#### BUILDING COMMITTEE REPORT

Councilman Arcara reported that the Senior Center elevator was serviced and inspected this week and the inspection passed.

-Bathrooms at the Town Park will be closed down for the year and winterized after the Fall Festival on October 19<sup>th</sup>.

#### INSURANCE COMMITTEE REPORT

No report

#### HIGHWAY & PARKS REPORT

Highway Superintendent Clarkson reported that they are preparing for the winter months.  
-Garage doors and heaters need to be approved for the Highway storage barn.

#### Insulation of Highway Garage Doors

MOTION made by Councilman Arcara and seconded by Supervisor DePasquale and unanimously approved the proposal from National Overhead Door to insulate the garage doors in the amount of \$2,326.00.

Highway Garage Heaters

MOTION made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved to purchase 2- Infrared heaters from Niagara International Associates at a cost of \$2,500.00.

-Advertisement will be placed in the Springville Journal for the seasonal closing of Murray Hill Road from November 15, 2014 to April 1, 2015.

Councilman Zurbrick asked if there was any interest in the park truck that was for sale.

Supervisor DePasquale said that three people have shown interest and he will contact them if they would like to submit a bid.

Kummer Park Request

Supervisor DePasquale read a letter that was submitted from the East Aurora Racing Club requesting the use of Kummer Park for a bicycle event to take place on November 14<sup>th</sup> & November 15<sup>th</sup>.

Supervisor DePasquale asked if the event was advertised yet and if the event was for a charity. In the past when the event was held how much repair was needed on the park grounds.

Spokesman Thomas Weichmann agreed that in the past it was organized with Michelle McMahon and the event was to raise money for the Breath of Life. This year the club had an extra day opened up for a race. The Parks department made repairs to the grounds with a roller in the past.

Highway Superintendent Clarkson reported that when the event took place a couple of years ago there was considerable damage to the park grounds and that the bathrooms would be closed starting in October.

Discussion continued on insurance coverage, adverse weather conditions, bathrooms being closed, the condition of the park grounds after the event is complete and other places in Erie County to hold the event.

Decision

MOTION made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously disapproved the use of Cyclo-Cross Racing event to take place at Kummer Park.

**PLANNING BOARD REPORT**

No report

**ENVIRONMENTAL BOARD REPORT**

No report

#### COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that on September 24<sup>th</sup> Supervisor DePasquale received notice from Buffalo Erie Niagara Land Improvement Corporation (BENLIC) that the Town acquired the land at 8820 State Road next door to the Town Hall.

- Colden Art Festival took place on Saturday, October 4<sup>th</sup> & Sunday, October 5<sup>th</sup> from 11am to 5pm. The festival committee was pleased with the turn out and the success of the event.
- AARP Smart Driving Course will take place on Saturday, October 11<sup>th</sup> from 8:45am – 3:30pm
- Friday Fish Fry at the Colden Methodist Church on October 17<sup>th</sup> starting at 4:30pm
- Turkey Dinner at the Colden Redeemer Lutheran Church on Saturday, October 25<sup>th</sup> starting at 3:30pm
- Bread of Life Farmers Market is still taking place on Saturday from 8:30am – 1pm
- An application was submitted to the Erie County Community Development Block Grant for the Rural Transit Van Service.

#### LIBRARY REPORT

Councilman Hrycik reported that on Saturday, October 11<sup>th</sup> at 1pm Denise Richards returns as Eleanor Roosevelt \$10 per person. A Home Brewing Class starts at 2pm, age 21 and over, bring your favorite stein, Pre-registration is required. \$5 per person

#### SOLID WASTE & NEST

Councilman Hrycik reported that on Saturday, September 20<sup>th</sup> the Town of Colden along with the Town of Holland held a HAZMAN collection at the Colden Fire District located at Center Street and Partridge Road.

##### Event Summary:

Total Colden Participants	166
Total Holland Participants	<u>110</u>
Total Participants	276
Electronics Collected (lbs.)	20,014
HHW Collected (lbs.)	<u>32,341</u>
Total Collected (lbs.)	52,355

#### YOUTH & ADULT RECREATION

Councilman Zurbrick reported that Fall Family Fun Day will take place on Sunday, October 19<sup>th</sup> from 1:30pm – 4:00pm at Kummer Park. Information was sent home through Colden Elementary School and can be found on Colden Recreation Facebook and in the town newsletter. Floor hockey sign ups have begun. Floor hockey will start January 9<sup>th</sup> at the Colden Elementary School.

### STREET LIGHTING

Councilman Zurbrick reported 3 Street Lights out: 9452 State Road  
8397 Gutekunst Road  
8341 Boston State Road

### PERSONNEL REPORT

Councilman Zurbrick reported that she attended the NYS Citizen Preparedness Training Course at Hilbert College in Hamburg with one resident and she encourages residents to visit the NYS Prepared website. The link will be added to the Towns website.

-The Town Safety Inspection report was received and for the record there was a violation of seatbelts not being used by Town employee's in Town vehicles. Inspection report states that the Town Board should develop a policy if there is not one in place on the use of employees wearing of seatbelt's in town vehicles.

-There was a violation of an electric panel and a fire extinguisher blocked at the Highway garage that needs to be corrected. Highway Superintendent Clarkson stated that the electric panel and fire extinguisher have been corrected. Councilman Zurbrick will take a photo and submit it to show that the corrections have been completed.

### DOG CONTROL REPORT

No report

### CODE ENFORCEMENT OFFICER REPORT

Report for the month of September, 2014 – Asst. Code Enf. Greg Adams reported that there were:

- 5– Building Permits Issued
- 1- Certificate of Occupancy
- 1 – Certificate of Compliance
- 4 - Fire Inspections
- 2 – Phone Complaints

### WATER COMMITTEE REPORT

Councilman Pietraszek reported receiving a 2" digital flow meter from the Town of Elma Water Department.

- Water billing went out August 1<sup>st</sup> collection of \$4,800 has been received.
- 28 delinquent letters have been sent out to remind customers that if their water bill is not paid by October 31<sup>st</sup> there bill will be relieved on the 2015 Town & County Tax Bill.
- Chlorine Residuals - Daily tests have been in normal ranges

-Notices were sent to 4 businesses reminding that their back flow preventer tests need to be completed.

-Water Clerk hours are on Wednesday from 8:30am – 4pm

**OLD BUSINESS:**

None

**NEW BUSINESS**

Supervisor DePasquale stated that the Town Board held a budget workshop on October 2nd for the 2015 Tentative Budget. The Town Board has received the budget with corrections that were made at the workshop and after review of the corrections the Town Board will take a vote.

Councilman Zurbrick noted a correction to be made on page 11 - Personal Service Water Clerk and Water Administrator amounts were transposed. On page 15 total hours should reflect the total hours of the 3 MEO's from 2080hrs. to 6240hrs.

2015 Tentative Budget

MOTION made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved the 2015 Tentative Budget with corrections that were made at the budget workshop and changes made on page 11 and page 15.

Set Public Hearing

Supervisor DePasquale set the Public Hearing for the 2015 Preliminary budget for Thursday, November 6, 2014 at 7:00pm at the Colden Town Hall.

**RESOLUTIONS**

Supervisor DePasquale read the following Resolution:

TOWN OF COLDEN  
COLDEN N.Y. 14033  
RESOLUTION #2014 – 11  
HONORABLE WILLIAM MONTGOMERY, TOWN JUSTICE, ON HIS RETIRMENT FROM  
THE TOWN OF COLDEN COURT

WHEREAS, Honorable William Montgomery held the distinction of being Town Justice for over 30 years as an elected official; and

WHEREAS, Honorable William Montgomery's legacy is one of service and commitment; and

WHEREAS, Honorable William Montgomery is known for his graciousness and cooperative interaction among his colleagues; and

WHEREAS, Honorable William Montgomery is well known for his exceptional dedication and worked tirelessly for the people of Colden; and

WHEREAS, Honorable William Montgomery is a man of honor, and generosity, and is a well-respected and beloved member of the Town of Colden community; and

NOW, THEREFORE BE IT RESOLVED, the Town of Colden wishes Retired Justice William Montgomery a long and happy life and the best in all his future endeavors; and

BE IT FUTHER RESOLVED, the Colden Town Board does hereby convey its deepest gratitude to Justice William Montgomery for distinguished service to the people of the Town of Colden and honors him on the occasion of his retirement from the Colden Town Court.

Duly adopted this 9<sup>th</sup> day of October, 2014, by the following vote:

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

#### BUDGET TRANSFERS

##### Highway Budget Transfers

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

From: DA5110.4 General Repairs	\$463.73
Into: DA5130.4 Machinery Contractual	\$463.73

#### TOWN CLERK REPORT

No report

#### SUPERVISOR'S REPORT

Supervisor DePasquale reported that the weather was not cooperative for the Colden Arts Festival but that the Colden Festival Committee and the teamwork throughout the event was outstanding. People he talked with at the event were enjoying themselves and happy to come out in support no matter what the weather was doing.

-Feedback from the HAZMAN collection was positive from residents.

- NYS Comptroller's Office reported back on the AUD that was submitted and the result was that the Town is not classified as having a Fiscal Stress the towns score was 22.5. The score does not reflect the questions on the audit that was performed by Drescher & Malecki and does not show the seriousness of the results that were found in that audit.

Supervisor DePasquale stated that he is working to put things back in order to make it right. I hope the public knows that I did not sweep anything under the carpet and I'm working harder to put things back in order rather than to accuse people. This Town Board is working hard to put things back in order and knows exactly what was stated in the audit.

A Fall Newsletter was sent out to residents with a survey included not a referendum vote nothing other than advising the Town Board on the feeling of the Town residents. The survey will not be counted as a vote. The survey is to advise the Supervisor and represent what the residents are feeling. There was a problem with labels for the mailing which will be corrected before another mailing goes out. If you did not receive a newsletter it was not done intentionally that is not the kind of person I am.

Supervisor DePasquale Congratulated William Montgomery on his retirement and wished him well. Thanked all the people who helped with the Colden Arts Festival.

#### PAY BILLS

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

General Fund Warrant Voucher #2014-361 to #2014-394	\$22,722.37
Water District Warrant Voucher #2014- 53 to #2014-61	\$ 4,245.97
Refuse District Warrant Voucher #2014-37	\$16,758.00
Lighting District Warrant Voucher #2014-16 to #2014-17	\$ 2,195.24
Highway Abstract Warrant Voucher #2014-131 to #2014-144	\$52,162.68

#### PRIVILEGE OF THE FLOOR

Andrew Wiencek commented on the Colden Festival and the Bread of Life working together over the weekend and how nice things worked out. Also appreciates the fact that Supervisor DePasquale will take the time to listen to each resident if there is a problem. There is a television drop off site at the Best Buy at McKinley Mall and the Tops Market at McKinley Road & Southwestern Blvd. Was sorry to see that Sliders has closed its doors and that it hurts when a business close in Colden.

Ken Heiler expressed his gratitude to the people who contributed to the VFW for maintaining of the Veterans Memorial Wall amount collected was \$55.00.

ADJOURN

MOTION made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously approved to adjourn the meeting at 8:01 pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk