

TB Mtg Dec 11, 2014
TOWN BOARD MEETING
COLDEN TOWN HALL – December 11, 2014

MEETING CALLED TO ORDER AT 7:00PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE
IN MEMORY OF JOHN COTTON, LORNA MILLER AND EDWIN ZYWICZYNSKI
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: Erie County Comptroller Stefan Mychajliw
Highway Superintendent Paul Clarkson
Bldg. Insp/Code Enf Officer John Kotlarsz
Asst. Bldg. Insp/CEO Greg Adams
Town Clerk Christina Kerlin
Approximately 7 residents

MINUTES

MOTION made by Councilman Zurbrick, and seconded by Councilman Hrycik and unanimously approved to accept the minutes of the November 6, 2014 Town Board Meeting minutes as presented.

HIGHWAY AND PARKS REPORT

Highway Superintendent Clarkson reported that National Overhead Door completed the insulation of the garage doors so the building is finished except for the roof.

- The sand and salt barn is $\frac{3}{4}$ full and there a full tank of Calcuim.
- Thanked the highway men for their work during the November storm
- Tabled Boom mower bids

INTRODUCTION

Supervisor DePasquale introduced Erie County Comptroller Stefan Mychajliw. Erie County Comptroller Mychajliw handed out to the Board his office brochure about the Popular Annual Financial Report and a Change to Grow pamphlet. His office completed a transfer of the County's banking services to M&T Bank. He does not drive a County funded vehicle or have a County phone and his furniture is from the county warehouse. Erie County Comptroller Mychajliw welcomed anyone with questions or concerns to contact his office.

BUILDING AND INSURANCE COMMITTEE REPORT

Councilman Arcara reported that he will meet with Highway Superintendent Clarkson to review the replacement of the roofs on the salt barn and newly renovated warm storage building.

-A meeting with First Niagara Risk Management to go over the Town's liability insurance was cancelled for today will be rescheduled for another day.

PLANNING COMMITTEE REPORT

Councilman Hrycik reported that there was no meeting and that one item that does come up repeatedly is the concern that non-permanent structures are being assessed to full tax values such as a shed that is sitting on skids. Contacted the assessor Dawn Martin today who stated that she is assessing anything over 100 square feet per guidelines from NY State whether it is on a foundation or floating.

Assessment reference will be added to the assessor's web page on the town's website.

ENVIRONMENTAL COMMITTEE REPORT

No report

COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the Bread of Life will host a Winter Craft Fair on December 13th from 10:00am to 4:00pm.

-Santa will be at the Fire Hall on Gutekunst Road at 6:00pm

LIBRARY REPORT

Councilman Hrycik reported that the Town made their annual contribution of \$1,000 to the West Falls Colden Community Library.

-Annual Cookie decorating party will be on Saturday, December 13th from 1pm – 3pm

SOLID WASTE AND NEST REPORT

No report

YOUTH & ADULT RECREATION REPORT

Floor Hockey Appointment

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved Kalei Brautlaucht for floor hockey at minimum wage.

Councilman Zurbrick reported that floor hockey begins on Friday, January 9th at 6:30pm at the Colden Elementary School gym. Registration is at the Town Hall.

Recreation thanked everyone who came out for the Christmas ornament and cookie decorating and a thank you to Tina Mary and Jamie Ruhland for running the event, and a special Thank You to Mrs. Claus for her guest appearance.

STREET LIGHTING REPORT

Councilman Zurbrick reported 2 Street Lights Out – Pole #352 at 9147 State Road
Corner of Bleistein Road and Blanchard Road

John Kotlarsz reported that he will be fixing a Historical light at the parking lot at Harmony Market he will be working in the area with a bucket truck that would be safer to use while repairing the light and he will also check the Historical light in front of 8742 State Road.

Discussion on changing the fixtures in the Historical lights to LED lamps.

PERSONNEL COMMITTEE REPORT

Councilman Zurbrick reported that a postcard has been sent out to residents seeking candidates for the Environmental and Planning Boards, Assessment Board of Review and the Zoning Board of Appeals the deadline for submitting a letter of intent is December 17, 2014.

Appoint Substitute Court Constable

MOTION made by Councilman Zurbrick and seconded by Councilman Arcara and unanimously appointed Frank Brady Substitute Court Constable at a rate of \$11.25 an hour.

-OSHA is requiring by January 15th that employers must report any work related fatalities within eight hours and all work related in patient hospitalization of one or more employees, all work related amputations and eye loss within 24 hours.

Training will be accounted for and a combined training will be set up with the Town of Aurora as was done last year.

DOG CONTROL REPORT

No report

CODE ENFORCEMENT OFFICER REPORT

Building Inspector/Code Enforcement Officer, John Kotlarsz gave the following report for the month of November, 2014.

2 Building Permits Issued
4 Certificates of Compliance
1 First Notice of Violation

-Discussion on increasing the fees on building permits and fines

REVIEW OUTSTANDING SPECIAL USE PERMITS

Carl's Trucking and Repair

Supervisor DePasquale stated that Carl's Trucking and Repair has since reduced the number of cars that were in excess and is in compliance.

MOTION made by Councilman Zurbrick, seconded by Councilman Pietraszek and unanimously approved to renew the Special Use Permit for Carl's Trucking and Repair.

CEO John Kotlarsz will issue an order of remedy for the remaining cars that are over the limit on the bordering property.

Frank Hrycik's Junkyard

Frank Hrycik has started the process of amending his Special Use Permit for a junkyard and has since reduced the number of cars that were in excess and is now in compliance.

MOTION made by Supervisor DePasquale, and seconded by Councilman Zurbrick to approve the renewal of the Special Use Permit for Frank Hrycik's Junkyard:

On the vote: Councilman David Arcara – yes
Councilman Jesse Hrycik – abstained
Councilman Patricia Zurbrick – yes
Councilman Gerald Pietraszek – yes
Supervisor James DePasquale – yes

CEO. John Kotlarsz will contact Frank Hrycik on the status of amending his Special Use Permit

WATER COMMITTEE REPORT

Councilman Pietraszek reported that the Water Department is going to take a look at adjusting some of the water fees

-Erie County Water Authority bills have been averaging about 1.2 million gallons of water at approximately \$3,300.

-A few meters were not reading correctly the meter battery transmitters are the problem so those will be replaced

-Broken hydrant poles were fixed

-Hydrants have been exercised and greased

-Maintenance work will be done on the vaults

-Major valves on the hydrants are being worked so that they will open properly.

-Water bills were sent out at the beginning of November and 27 accounts are in arrears at this time

-Chlorine residuals are doing well

OLD BUSINESS

Supervisor DePasquale reported on the status of the property located at 8820 State Road an email was received from Jocelyn Gordon stating that a meeting will be held on December 12th to present a Draft Disposition Resolution to the BENLIC Board. The title to the property was recorded in the County Clerk's office on Friday, December 5th.

Supervisor DePasquale read the following draft:

BENLIC, at the request of the Town of Colden, acquired the property of 8820 State Road, Colden NY as part of the Corporation's 2014 "slat" of properties by placing a bid for the back taxes in the amount of \$82,788.91 at the County's auction, In Rem 162 on September 24, 2014. A deed for the property was recorded with the Erie County Clerk on December 1, 2014 and since then BENLIC has held clear title to the property. The Town as part of its re-use plan previously submitted to and approved BENLIC as a condition of acquisition, will preserve, improve and enlarge its existing military park by expanding its green space on the property. BENLIC, in accordance with its mission, plans to transfer the property to the Town for \$1.00.

The appraisal of the property by an independent appraiser was completed on October 4, 2014. The value of the property is determined by the appraiser on that date was \$25,000. The Property Disposition Guidelines of the Corporation require that an appraisal be made prior to disposal regardless of the procedure for disposal. The appraisal for the property of 8820 State Road is available and held in the record of transaction. Title will be forwarded to the Town Attorney Ronald Bennett who will file the title under the Town of Colden's.

NEW BUSINESS

None

RESOLUTIONS:

Supervisor DePasquale read the following resolution:

TOWN OF COLDEN
COLDEN N.Y. 14033
RESOLUTION #2014 – 13
JUSTICE COURT ASSISTANCE PROGRAM GRANT

WHEREAS, The Town of Colden Court System has upgraded and improved its equipment in order to better serve not only the public but also cooperating municipalities

NOW THEREFORE, BE IT

RESOLVED, the Justice Court Assistance Program grant funds were received in the amount of \$9,000.00, funds were put into account A3389 State Aid/Other

BE IT FURTHER RESOLVED that all grant money received was allocated equally to

the Justice Contractual lines A1110.4 and A1110.43 to reflect the grant money that was used to improve the Justice Court System.

The adoption of foregoing Resolution was moved by Councilman Zurbrick and seconded by Councilman Arcara and duly put to a roll call vote which resulted as follows:

Duly adopted this 8th day of December, 2014, by the following vote.

Vote: Councilman Arcara –yes
Councilman Hrycik –yes
Councilman Zurbrick –yes
Councilman Pietraszek – yes
Supervisor DePasquale –yes

BUDGET TRANSFER

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

From: DA5110.4 General Repairs	\$5,744.65
Into: DA5130.4 Machinery Contractual	\$5,744.65

TOWN CLERK REPORT

Town Clerk Kerlin asked to set a date for the 2015 Reorganizational meeting and the regular Town Board meeting.

Supervisor DePasquale stated that the meetings will take place on Thursday, January 8th at 7:00pm at the Colden Town Hall.

SUPERVISOR'S REPORT

Supervisor DePasquale reported that the State Comptroller's Report for the 2013 AUD is complete and copies of the final report will be given to the Town Board.

- The 2016 National Fuel Gas pipeline project will be coming through parts of Colden and preliminary mapping is being prepared along with National Fuel meeting with the homeowners that will be affected from the pipeline. Information is available in the Supervisor's office.
- An email was received from Joe Murray stating that people should be aware of where they leave their keys at home and work. There is an application on smart phones that can scan keys and then forward a key through the mail.
- Website is going strong
- Town Attorney will review the Annual Disclosure Statements before they are handed out to all Boards to be filled out and returned by January 31, 2015

-2015 Budget correction: Erie County has had the same assessed valuation for Colden over the last two years so when the assessor sent in the file it raised a red flag and therefore the correction needed to be corrected.

Assessed valuation went from 120,477,998 to 121,116,049

Refuse units billed went from 1402 units to 1401 units which increased from 143.81 to 143.91

Highway Rate went from 4.08 to 4.06 per thousand

-Supervisor DePasquale requested that the Town Board come to a resolution next year on Horizontal Drilling and Hydraulic Fracking the moratorium will end in March 2015.

PAY THE BILLS:

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

General Fund Warrant Voucher #2014-431 to #2014-473	\$ 53,821.97
Highway Fund Abstract Voucher #2014-161 to #2014-180	74,508.32
Water District Voucher #2014-67 to #2014-74	5,297.66
Refuse District Voucher #2014-39	16,518.60
Lighting District Voucher #2014-20 to #2014-21	2,131.82

PRIVILEGE OF THE FLOOR

John Kotlarsz asked the Town Board to attend the upcoming Springville GI School Board meeting on Tuesday December 16th to show support for the Veterans Exemption on the school tax bill.

Supervisor DePasquale, Councilman Hrycik and Councilman Zurbrick stated that they will be attending School Board meeting.

ADJOURN

MOTION made by Councilman Zurbrick and seconded by Councilman Arcara and unanimously adjourned the meeting at 8:28 pm.

Respectfully Submitted,

Christina M. Kerlin,
Town Clerk

