

TB Mtg. May 14, 2015  
TOWN BOARD MEETING  
COLDEN TOWN HALL – May 14, 2015

MEETING CALLED TO ORDER AT 7:00PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE IN MEMORY OF SHIRLEY PAUL AND SHIRLEY ANN WILLITS 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: Highway Superintendent Paul Clarkson  
Bldg. Insp/Code Enf Officer John Kotlarsz  
Town Clerk Christina Kerlin  
Approximately 25 residents

#### MINUTES

MOTION made by Councilman Pietraszek, and seconded by Councilman Arcara, to accept the minutes of the April 2, 2015 Town Board Workshop Meeting minutes as presented.

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

MOTION made by Councilman Arcara and seconded by Councilman Zurbrick, to accept the minutes of the April 9, 2015 Town Board Meeting minutes as presented.

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

MOTION made by Councilman Arcara and seconded by Councilman Zurbrick, to accept the minutes of the April 20, 2015 Town Board Meeting minutes as presented.

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

Ted Welch, Business Administrator For Springville-GI Schools – Budget

Ted Welch presented the Town Board with an overview of the Springville GI School Budget. The voting will take place on May 23, 2015 and there are three seats up for election with five people running for the positions and this year the board will go from 5 members to 7 members.

Change of Use Permit

Bruce and Kim Zehnder  
9452 State Road  
Glenwood NY 14069

Supervisor DePasquale stated that the Town Board reviewed the Change of Use Permit at the Town Board workshop and asked if there were any questions. The referral from Erie County Planning was received with “No recommendation; proposed action has been reviewed and determined to be of local concern.”

MOTION made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously approved the Change of Use Permit for Bruce and Kim Zehnder at 9452 State Road to erect a storage building.

**BUILDING AND INSURANCE COMMITTEE REPORT**

Councilman Arcara reported that the heating and cooling systems for the Town Hall and Senior Center were serviced. Benzinger Plumbing and Heating will be contacted for a quote on a furnace for the Town Hall. The man door at the Park garage will be replaced next week.

**HIGHWAY AND PARKS REPORT**

Highway Superintendent Clarkson reported that Blanchard Road is being repaired and asked residents to slow down when driving through the construction zone and or finding an alternative route while repairs are being done. Crack sealing was done on Town Roads and the money was used from the “CHIPS Winter Recovery.”

Award Gravel Bid

Highway Superintendent Clarkson stated that one gravel bid was received from McEwan Trucking & Gravel Products.

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara and unanimously approved to award the gravel bid to McEwan Trucking & Gravel Products.

Supervisor DePasquale stated that the Town Highway pickup truck rear end failed and is in need of repair. The truck was to be traded in when the new Highway truck comes in this year. The Town Board will have to decide on three options on what to do with the truck:

Fix the truck at a cost of \$1,500 and trade in as originally decided.

Sell the truck with a reserve of \$3,500.00 and make up the cost to purchase the new truck.  
Trade the truck in as is and cover the remaining cost of the new truck.

Town Board decided that the truck will be advertised in the Springville Journal and placed out in front of the Highway garage with a reserve of \$3,500.00 and requires sealed bids.

MOTION made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously approved the payment of \$35,000.00 to Van Bortal Ford for the 2015 Town Highway truck and to advertise the sale of the 2007 Town Highway truck.

#### PART TIME SEASONAL HIGHWAY POSITIONS

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek to hire Part-Time Seasonal Highway positions for 2015 at a rate of \$12.00 an hour starting May 26<sup>th</sup> with 960 hours in the budget for this year.

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

#### PLANNING COMMITTEE REPORT

Councilman Hrycik reported that the Planning Board discussed:

- Special Use Permit for Carl's Trucking & Repair
- Change of Use for Bruce and Kim Zehnder's ski shop
- Junkyard on Lower East Hill is looking for amending their Special Use Permit
- Permanent and non-permanent signs throughout the Town

#### ENVIRONMENTAL COMMITTEE REPORT

Councilman Pietraszek reported that the Creek restoration grant application that was prepared by Erie County Soil & Water was submitted on April 24<sup>th</sup> and the town should hear back sometime in June or July

- Annual Special Use Permit inspections will be done on Saturday May 23<sup>rd</sup> starting at 9:00am with the Code Enforcement officer, Planning Board Chairman and Town Board members.

Councilman Pietraszek read the following resolution:

### 2015 Household Hazardous Waste and Electronics Recycling Service

RESOLVED, that in 2014 the Town of Colden held a joint Household Hazardous Waste and Electronics Recycling Service with the Town of Holland and by doing so the Town of Colden saved over \$8,629.00

WHEREAS, this will be an ongoing shared service and efficiency plan for the years 2015 through 2017 with at the least the same amount of savings for future years

BE IT FUTHER RESOLVED, that the Town of Colden will continue to work with the Town of Holland on a joint Household Hazardous Waste and Electronics Recycling Service for the benefit and savings for the taxpayers of the Town of Colden

Duly adopted this 14<sup>th</sup> day of May, 2015 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

#### COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the 4<sup>th</sup> season for the Farmers Market will start this Saturday, May 16<sup>th</sup> at the Bread of Life Outreach Center.

#### LIBRARY REPORT

Councilman Hrycik reported that the Memorial Day Parade in West Falls will take place on Monday, May 25<sup>th</sup> line up at 9:45.

#### SOLID WASTE AND NEST REPORT

No report

#### YOUTH & ADULT RECREATION REPORT

Councilman Zurbrick reported that summer registration forms are out in the lobby. Supervisor DePasquale stated that soccer is in full swing and the concession stand is open and the park is in great shape.

#### STREET LIGHTING REPORT

No report

#### PERSONNEL COMMITTEE REPORT

Councilman Zurbrick reported that training was completed by employees and volunteers and there will be one make up training session for the employees and volunteers that missed the training. A resignation letter was received from Court Clerk Stephanie Bacon effective May 1, 2015.

Discussion on consequences if the volunteers or employees do not take the mandatory training

#### DOG CONTROL REPORT

Councilman Arcara reported that the Dog Control officers attended a two day seminar on April 30<sup>th</sup> and May 1<sup>st</sup>.

- Large dog picked up on Center Street returned to owner in Concord
- Loose husky on Center Street owner found
- Large dog on Route 240 owner found
- Barking dog on Stanfield Road – difficult owner – working on a solution
- Free Rabies Clinic: Wednesday, May 20<sup>th</sup> from 4-7pm, Broadway Market  
999 Broadway, Buffalo

Wednesday, May 27<sup>th</sup> from 4-7pm, ECC South Campus  
4041 Southwestern Blvd. Bldg. #7  
Orchard Park

#### CODE ENFORCEMENT OFFICER REPORT

Building Inspector/Code Enforcement Officer, John Kotlarsz gave the following report for the month of April, 2015

- 6 Building Permits Issued
- 1 Certificate of Occupancy
- 5 Certificates of Compliance
- 1 First Notice of Violation
- 1 Phone Complaint
- 2 Hours of School – Residential sprinklers

#### Appoint Fire Inspector

MOTION made by Councilman Zurbrick and seconded by Councilman Arcara and unanimously appointed Michael Spagnola as Fire Inspector for the Town at a rate of \$75.00 per inspection.

#### WATER COMMITTEE REPORT

Councilman Pietraszek reported:

- Clarification is being looked into whether OSHA or PESH covers the requirement for the water worker in the pits before ordering a harness or tripod
- Bills were sent out 1<sup>st</sup> week in May
- Annual Water Quality report was sent to residents in the water district and Erie County Health Department along with posting the report on the Town website.
- Replacement of the office computer will cost around \$490

- Chlorine residuals are good and staying around .7
- Petition sent for an Asbestos waiver. The waiver was received and is good till the end of 2023.
- Letters were sent out to 2 residents to let the water department make some repairs to their meters.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

Supervisor DePasquale read the following resolution:

RESOLUTION # 2015 - 04  
Designate Emergency Medical Services Week May 17 thru 23, 2015

WHEREAS, each year residents and visitors to the Town of Colden may require emergency medical care for traumatic injuries, burns, poisonings, spinal cord injuries, heart attacks, and other critical medical emergencies; and

WHEREAS, emergency care personnel, including First Responders, Emergency Medical Technicians, Emergency Medical Technician-Defibrillators, Paramedics, give selflessly of themselves for the welfare of others; and

WHEREAS, the citizens of the Town of Colden benefit from the knowledge, skills and dedication of these emergency medical services specialists, as they work together to ensure prompt and appropriate treatment at the scene, on the way to the hospital, and in the emergency department; and

WHEREAS, Erie County has a wide range of emergency medical providers, including local first responder units, first aid and rescue squads, ambulance services, mobile intensive care programs, a helicopter EMS response program, specialty burn care, a poison information and education center, designated trauma centers and other vital services that have the potential to save lives and reduce disabilities of the critically ill or injured in our community; and

WHEREAS, advances in emergency medical care have increased the number of lives saved every year in Erie County and in the Town of Colden; and

WHEREAS, it is important for the citizens of the Town of Colden to know about our emergency medical services system, including what to do in a medical emergency and whom to call, and to benefit from reminders about ways to prevent emergencies from happening; and

WHEREAS, the Town of Colden desires to continue to improve upon its emergency medical services system in order to assure all citizens the highest standards of emergency medical care;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board for the Town of Colden do hereby proclaims May 17 through May 23, 2015 as EMERGENCY MEDICAL SERVICES WEEK in the Town of Colden, in recognition of all those engaged in emergency medical services activities and encourage the community to observe this period with appropriate recognition.

Duly adopted this 14<sup>th</sup> day of May, 2015 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 TRANSFER

None

#### TOWN CLERK REPORT

Town Clerk Kerlin asked to set a Public Hearing for Special Use Permit for Carl's Trucking and Repair wishing to increase the capacity for vehicle storage at 8099 Lewis Road.  
Public hearing set for Thursday, June 11<sup>th</sup> at 7:00pm at the Colden Town Hall.

#### SUPERVISOR'S REPORT

Supervisor DePasquale recognized William Montgomery for all his years of service as Town Justice for the Town of Colden and placed his picture on the wall in the courtroom.

#### PAY THE BILLS:

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

General Fund Warrant Voucher #2015-128 to #2015-178	\$18,706.76
Highway Fund Abstract Voucher #2015-67 to #2015-91	\$22,911.31
Lighting District Voucher #2015-06 to #2015-07	\$ 2,077.37
Refuse District Voucher #2015-05 to #2015-28	\$19,035.98
Water District Voucher #2015-17 to #2015-24	\$ 3,110.38

**PRIVILEGE OF THE FLOOR**

Marilyn Calhoun-Allen asked about the Memorial Day Parade and the signs being placed at the Town parking lot.

Supervisor DePasquaule stated that line up is at 8:15am at Kummer Park and the parade starts at 8:30am and will proceed down Route 240 to the Veterans Memorial Park where a Ceremony will take place. Refreshments will be served after the Ceremony at the Senior Center.

Greg Fuller from Center Street submitted pictures to the Town Board of the windmill on Center Street that he can see from his house. Greg had concerns if the windmill were to disintegrate in the air do to a mechanical malfunction. What inspection requirements were done when the windmill was put up along with the required yearly inspections and copies of any supporting reports.

**ADJOURN**

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara and unanimously adjourned the meeting at 8:10 pm.

Respectfully Submitted,

Christina M. Kerlin,  
Town Clerk