

TB Mtg. October 8, 2015  
TOWN BOARD MEETING  
COLDEN SENIOR CENTER – October 8, 2015

MEETING CALLED TO ORDER AT 7:00PM.

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

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 20 residents

MINUTES

MOTION made by Councilman Pietraszek, and seconded by Councilman Hrycik, and unanimously approved to accept the minutes of the September 10, 2015 Town Board Workshop and September 10, 2015 Regular Town Board meeting as presented.

#### PUBLIC HEARING

2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

PUBLIC HEARING OPENED AT 7:02 PM.

Supervisor DePasquale opened the Public Hearing for the 2016 Community Development Block Grant Funds. He explained that these funds are available for projects that would benefit specific economically disadvantaged people such as seniors, handicapped or low income families.

Public Comments –

- Resident asked about having improvements to the Veterans Park
- Suggestions discussed were improvements to Heath Road and work on the creek bank and a possible CDBG for the Bread of Life and having a new study done on the Towns low to moderate income families.

The Town Board discussed and decided on the following project.

- 1) Rural Metro Van Service.

PUBLIC HEARING CLOSED AT 7:04PM

TOWN OF COLDEN  
COLDEN, N.Y. 14033  
RESOLUTION #2015 - 7  
2016 COMMUNITY DEVELOPMENT GRANT FUNDS

WHEREAS, at a meeting of the Colden Town Board held on October 8, 2015, at 7:00 pm, the Town Board of the Town of Colden authorizes Supervisor James P. DePasquale to sign, submit and execute a contract with Erie County Development Grant Program for the following project upon approval of ECCDBG Funds.

- 1) Rural Metro Van Service

Duly adopted this 8th day of October, 2015, by the following vote.

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

**BUILDING AND INSURANCE COMMITTEE REPORT**

Councilman Arcara reported that quotes were received for installing a metal roof on the salt barn and storage building at the highway barns.

Salt Barn and Storage Building Roofs

Heim General Contracting	Salt Barn	\$9,800.00
	Storage Building	\$9,100.00
J & M Builders	Salt Barn	\$12,040.00
	Storage Building	\$10,584.00

Discussion on whether the quote from Heim General Contracting included flashing and roof caps Councilman Arcara will make contact and clarify if they are included.

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously approved to have Heim General Contracting to install metal roofing on the storage building and salt barn at the highway barns pending clarification from the builder that the roof caps and flashing are included.

Councilman Arcara reported that quotes were received for replacing the furnace at the Town Hall.

Town Hall Furnace

Phillips Sheet Metal	\$2,342.00
Zenner & Ritter (3 models)	\$4,990.00, \$3,174.00, \$2,659.00
Total Facilities Services	\$6,855.00 includes A/C unit

Discussion on Total Facilities Services already performs yearly inspections on the furnaces and A/C units at the Town Hall and Senior Center and the Town Hall units are 22 years old and it would be wise to replace both – at the same time.

MOTION made by Councilman Arcara and seconded by Councilman Zurbrick and unanimously approved Total Facilities Services to install a furnace and A/C unit at the Town Hall at a cost of \$6,855.00.

Town Board discussed keeping an eye on the snow this year that accumulates on the Town Hall roof and to make sure that the roof is cleared of the snow build up.

**HIGHWAY AND PARKS REPORT**

Highway Superintendent Clarkson reported that salt barn is full and trucks are ready for winter.

MEO Eric Barkey has retired from the Highway Department and an advertisement has been placed in the Springville Journal for a replacement for a MEO, applications will be accepted up to October 9<sup>th</sup> at 4pm and interviews will be scheduled.

Burr Road Bridge is down to 1 lane Erie County Highway found 2 girders that are bad after an inspection that was done and the deck will be replaced in the spring.

**PLANNING COMMITTEE REPORT**

Councilman Hrycik reported that there was no Planning Board meeting for this month.

Discussion on volunteer board members that have not had the annual training for this year a date will be set up in November and the Supervisor's Secretary Tammy Nuttle will send out letters to remind the volunteer board members of the date and time.

**ENVIRONMENTAL COMMITTEE REPORT**

Councilman Pietraszek stated that there was no Environmental Board meeting this month. Mark Gaston from Erie County Soil & Water stated that the contract has been signed and sent in and the town should receive the Grant for \$30,000 in December. An application was sent in for

another grant up stream and 2 residents and the elementary school have contributed \$7,500 towards the work. An additional grant was submitted for another \$6,000 to New York State and will be available in the Spring. Survey work on the stream will start in November.

In summary: \$30,000 grant  
- 6,000 administration and engineering fees  
24,000  
24,000 The amount the Town can match  
7,500 contributed from residents  
6,000 additional grant money  
61,500 Total grant funds for creek work

The Town Board discussed the quotes for the removal of the Sycamore tree in the creek and decided to hold off.

Above & Beyond	\$4,800
Bradley Tree	\$5,000 – \$5,500
Woodpecker Tree Service	\$2,600 - \$3,000 (Councilman Hycik will make contact for further information on the quote)

#### COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the Colden Arts Festival was a success and Thanked John and Linda Antokowiak, the constables and all the Town Residents who came out to the festival.

Flu shots will take place on October 27<sup>th</sup> from 10am – 2pm at the Town Hall.

AARP Defensive Driving Course will take place on Wednesday, October 7<sup>th</sup> & Thursday, October 8<sup>th</sup> at 5:45pm to 9pm (must attend both days) or Saturday, October 10<sup>th</sup> from 8:45am to 3:30pm (bring a Lunch)

10% discount on insurance

4 point reduction of points for prior driving conviction

\$20 AARP member

\$25 Non-AARP member

Pre-register at the Town Hall 941-5012

Payments will be accepted the day of the course, checks to be made to AARP

Maximum of 30 students per class

Last Saturday for the Farmers Market at the Bread of Life and their 7<sup>th</sup> annual Holiday Tea & Fashion Show will take place on Saturday, December 5<sup>th</sup>, from Noon – 3pm ticket sale starts on Saturday, October 17<sup>th</sup> at 10am.

Seniors will hold a Baked Good sale on Election Day at the Senior Center starting at 7:30am.

Colden Seniors present a trip to see the Texas Tenors at the Seneca Niagara Casino on Thursday, November 10<sup>th</sup>, the bus leaves the Colden Fire Hall at 9:15am and returns around 5:30pm, cost is \$49.00

Halloween Bash at the Bread of Life Outreach Center on Saturday, October 31<sup>st</sup> from 12:30pm – 2pm, admission is a suggested donation of a non-perishable food item.

Masons Livingstone Lodge will hold a pancake breakfast on Sunday, November 15<sup>th</sup>, from 9am – 1pm at the Bread of Life tickets are \$5.00 kids under 5 are free.

Supervisor DePasquale stated that a few members from the Living Stone Masonic Lodge will host a campout at the Veteran's Memorial Park to raise money for the homeless Veterans the weekend of November 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> and the parade will be on Sunday at 10am with a service at the Masonic Lodge and end at the Veteran's Memorial Park where a ceremony will take place further information will be placed on the towns website..

#### LIBRARY REPORT

Councilman Hrycik reported that on Saturday, October 10<sup>th</sup> from 1pm – 2pm Tom Schobert of the Springville Civil War Museum will present an overview of medicine and surgery during the mid-1800's with particular emphasis on military medical care during the Civil War.

On Saturday, October 17<sup>th</sup> from 1pm – 2pm an Annual Tea with Denise Reichard appearing as Amelia Earhart Refreshments will be served \$10 per person Limit 25 Must pre-register by October 9<sup>th</sup>. The library is still recouping from water damage and any donations are greatly appreciated.

#### SOLID WASTE AND NEST REPORT

No report

Councilman Hrycik stated the recycling event went well there was a lot of TV's collected and mercury eliminated from the town and hopefully the town will sponsor a tire recycling event this year.

Supervisor DePasquale stated that as a fireman it was nice to see all the Hazardous materials removed from homes that can cause harm if there were ever a fire or accident. Thank you to all the people who came out and helped with the event and it was a team effort with the Town of Holland.

#### YOUTH & ADULT RECREATION REPORT

No report

#### STREET LIGHTING REPORT

Councilman Zurbrick stated that there was one street light reported out in front of 8753 State Road.

#### PERSONNEL REPORT

No report

#### DOG CONTROL REPORT

No report

#### CODE ENFORCEMENT OFFICER REPORT

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

- 7 Building Permits Issued
- 4 Certificates of Compliance
- 1 Phone Complaint
- 3 Zoning Board of Appeals

CEO John Kotlarsz will check a complaint that was submitted for unkept property at 10025 Partridge Road.

#### WATER COMMITTEE REPORT

- New computer has been installed
- Neptune reader installed and software updated
- Greg and Ron have completed the power washing and painting of the fire hydrants except for the one at Colden Elementary School
- Fire hydrants have been greased and worked
- A letter has been sent to a resident on Boston Colden Road to gain entry into the house to shut off the water the house is vacant and is in foreclosure.
- Chlorine residuals are good

#### OLD BUSINESS

##### Solly Brothers – SUP

Supervisor DePasquale stated that the Town Board reviewed the Solly Brothers Special Use Permit and asked CEO John Kotlarsz what the status was on the property. John stated that nothing had been moved. Supervisor DePasquale stated that a letter was sent on September 25<sup>th</sup> that the vehicles needed to be moved and a letter was sent on June 18<sup>th</sup> from Town Clerk Kerlin stating the defiance's that the board found. Supervisor DePasquale stated that to his knowledge know one is living on the property and there is no business being conducted anymore. Supervisor DePasquale read from the amended Special Use Permit that was signed on June 14, 1990. The Town of Colden Code to Solly Brothers Antique Auto Parts to operate a junkyard and auto antique auto parts store at the property at 9810 Blanchard Road in the Town of Colden. In the event that the applicant ceases operations for any reason, including the revocation or non-renewal of this permit because of violation of its terms or otherwise, the applicant shall remove all remaining vehicles, parts and salvage materials within sixty (60) days so that the area is completely returned to its natural state. With that said the town has given the Solly Brothers enough time through the violations to clean up the property back in May and they have not done so and the town has signed certified copies that they have received the correspondences.

MOTION made by Supervisor DePasquale and seconded by Councilman Pietraszek and unanimously approved to revoke the Solly Brothers Special Use Permit at 9810 Blanchard Road to run a junkyard and have CEO John Kotlarsz cite them to remove the junk from the property and return the property back to its natural state.

#### NEW BUSINESS

Supervisor DePasquale stated that two Public Hearings need to be set for the November meeting the first is a Local Law in regards to the surpassing the 2016 New York State Tax Cap and the second Public Hearing for the 2016 Preliminary Budget and regular Town Board meeting.

MOTION made by Councilman Arcara and seconded by Councilman Hrycik and unanimously approved to hold two Public Hearings on November 5, 2015 at 7:00pm for a Local Law in regards to the surpassing the 2016 New York State Tax Cap and the 2016 Preliminary Budget & Town Board meeting and the Town Board workshop at 6:00pm.

#### Tree Trimming and Pruning at the Town Hall

Supervisor DePasquale stated that Councilman Hrycik has been working on getting quote for the trimming and pruning of the trees at the Town hall and Veterans Memorial Park.

Bradley Tree Service \$1,900.  
Above & Beyond 980.

MOTION made by Councilman Pietraszek and seconded by Councilman Arcara to have Above & Beyond Tree Service to do the trimming and pruning of the trees at the Town Hall and Veterans Memorial Park.

On the vote: Councilman David Arcara - yes  
Councilman Jesse Hryck – abstained (works for Above & Beyond Tree)  
Councilman Patricia Zurbrick – yes  
Councilman Gerald Pietraszek – yes  
Supervisor James P. DePasquale – yes

#### RESOLUTIONS:

The following resolution was read by Supervisor DePasquale and the request was made by the Court for security cameras to cover both entrances to the building, to cover the courtroom and the back parking lot and a handheld metal detector through the Justice Court Assistant Program.

TOWN OF COLDEN  
COLDEN, N.Y. 14033  
RESOLUTION #2015 - 8  
JUSTICE COURT ASSISTANCE PROGRAM GRANT

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

WHEREAS, The Town of Colden Court System is continually interested in upgrading and improving its equipment in order 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 Justice Court to apply for a Justice Court Assistance Program Grant to the maximum amount available.

Duly adopted this 8th day of October, 2015, by the following vote.

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

#### BUDGET TRANSFER

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

From: A1220.4 Supervisor Cont.	\$30.98
Into: A1010.4 Town Board Cont.	\$30.98
From: A1110.43 Justice Contr. 2	\$398.14
Into: A1110.4 Justice Contr.	\$398.14
From: A8090.4 Environmental Cont.	\$600.00
Into: A7310.42 Adult Rec.	\$600.00
From: A3620.11 Asst. Code Enforcement	\$427.55
Into: A7310.11 Youth – PS Staff	\$427.55
From: A9060.8 Medical Insurance	\$868.98
Into: A9040.8 Work Comp	\$868.98
From: DA5110.4 General Repairs	\$1,018.93
Into: DA5130.4 Machinery Contractual	\$1,018.93

#### TOWN CLERK REPORT

No report



**SUPERVISOR'S REPORT**

Supervisor DePasquale reported that the speed studies were completed and the results are as follow:

Heath Road Results

The need for a reduced speed limit is based on a thorough evaluation of many factors, including roadway characteristics and roadway development. The majority of motorists drive at a speed which they perceive to be reasonable and prudent for existing conditions. Experience has shown that if there is no apparent reason for driving at a reduced speed, the posting of signs with an arbitrarily lower speed limit does not result in voluntary compliance by the majority of drivers. Thus, the lower the speed limit results in larger speed differentials which can make the road less safe. Based on our evaluation of Heath Road, between Route 240 and Center Street, we determined that we will not reduce the existing 45 MPH speed limit at this time.

Holland-Glenwood Road Results

Based on the data we have collected and our speed zone evaluation criteria, we will establish a 45 MPH speed limit for Holland-Glenwood Road from Route 240 to Center Street Road. All signs necessary to post the speed zone will be the responsibility of Erie County. When we receive a copy of the approved Notice of Order legally establishing the 45MPH speed limit from the Director of the Traffic and Safety Division in Albany, we will forward a copy to you for your records.

Electronics Surplus

The following items were disposed of at the Hazman Hazardous Waste Recycling event on September 17, 2015.

MOTION Made by Supervisor DePasquale and seconded by Councilman Hrycik and unanimously approved the surplus of the following inventory.

Dell Hard Drive	Court	Supervisor's Office
Hard Drive	Assessor's	Clerks Office
Speakers		
Typewriter		
Monitor		
Hard Drive	Clerk's	Vault
Printer	Emergency Mgr	Emergency Mgr
Monitor		Boiler Room
Fax Machine	Clerk's	Clerks Office

A Town postcard will be sent out seeking town candidates for the following boards Environmental, Planning, Zoning and Assessment Board of Review the mailing will go out in November and applications due by November 27<sup>th</sup>. A groundskeeper for the Colden Cemetery will also be posted on the card and there is a change for the Meals on Wheels Program the contact will be Tammy Nuttle.

Colden Arts Festival went well and thank you to the Highway workers that helped out and the Emergency Manager Scott Wolhleiter for the team effort that they did all weekend on the event.

A letter was received from a resident in regards to the solar panels that were placed up on Irish Road the Town Board has no involvement with the matter it is in the hands of the CEO, Zoning Board of Appeals and the Town Attorney.

**PAY THE BILLS:**

MOTION made by Councilman Pietraszek and seconded by Councilman Zurbrick to approve the payment of the September bills.

General Fund Warrant Voucher #2015-347 to #2015-395	\$18,941.90
Highway Fund Abstract Voucher #2015-166 to #2015-177	\$11,048.96
Lighting District Voucher #2015-16 to #2015-17	\$ 1,790.88
Refuse District Voucher #2015-70	\$17,251.62
Water District Voucher #2015-61 to #2015-66	\$ 4,360.69

**PRIVILEGE OF THE FLOOR**

Representative Mitch Martin from Senator Patrick Gallivans office commented on the Electronics recycling and stated that the Senator provides two events during the year and that there is one coming up on November 14<sup>th</sup> at the West Seneca East Senior High school from 9am to 2pm the event is free. Pamphlets were given to the Town Clerk in which constituents could fill out and submit feedback to the Senator on various topics.

Joan Montgomery asked the Town Board about having a STOP sign placed on Crump Road where it meets Center Street on the west side. Mitch Martin asked Supervisor DePasquale to contact him and he will forward information on how to obtain a STOP sign for that road.

Highway Superintendent Clarkson stated that he has a meeting planned on Monday with the Erie County Highway department concerning Heath Road.

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ADJOURN

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:34pm.

Respectfully Submitted,

Christina M. Kerlin,  
Town Clerk