

TB Mtg Dec 3, 2015
TOWN BOARD MEETING
COLDEN TOWN HALL – December 3, 2015

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 – 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 November 5, 2015 Town Board Workshop and the November 5, 2015 Town Board Meeting minutes as presented Councilman Arcara abstained from the approval of the Regular Town Board meeting due to his absence at the meeting.

PUBLIC HEARING:

Public Hearing opened at 7:03PM

Frank Hrycik - Special Use Permit – Junkyard amendment
8698 Lower East Hill Road

Supervisor DePasquale opened the Public Hearing for comments from the audience

Joseph Frawley stated that he was under the impression that there is a SUP for a Junkyard already and is wondering if the town has a code for junkyards and if the code supersedes the NYS code for junkyards. He asked if the owner of the junkyard has a licensed facility and DMV permit to operate a junkyard and collects sales tax. He had concerns on soil damage from spills and leaks since the property is on a slope and there is a creek at the bottom and a potential for a fire when cutting of vehicles takes place. He presented the Town Board with a copy of General Municipal Law 136 regarding the operation of junkyards in NYS and the DMV criteria for operating a junkyard along with the requirement for sales tax and business certificates.

Supervisor DePasquale stated that it is not a public junkyard but a private junkyard the owner keeps the vehicles for his own use and dismantles and builds a vehicle for his own use.

Ann Frawley stated her concerns on soil contamination from fluids leaking out from the vehicles such as gas, antifreeze, oil and transmission fluids and was wondering if the town inspects the soil.

Councilman Pietraszek stated that the town conducts yearly inspections on the junkyards that are in town and that is one thing he inspects is for soil contamination.

Supervisor DePasquale read the following letter of intent from Frank Hrycik.

To Colden Town Board Members:

I am requesting an amendment to my existing junkyard permit.

First, I would like the permit to show a specified one acre location for the junkyard with the exception of approximately six (6) cars outside of the perimeter. The one acre location would be unlimited as to the number of cars.

I would also like to add my son, Benjamin E. Hrycik, as a permit holder to the existing permit.

Thank you for your assistance in this matter.

Regards,
Frank S. Hrycik

Frank Hrycik stated that it is his understanding that if he does not sale parts to the public he does not need a dismantling license or a sales tax number. The purpose of the junkyard is for him to rebuild the cars from the vehicles he has taking parts from cars and making it into one vehicle.

Public Hearing closed at 7:19PM

Supervisor Depasquale stated that there will be no action taken tonight and the Town Board will review all the documents submitted and a decision will be made at the next Town Board meeting.

BUILDING AND INSURANCE COMMITTEE REPORT

Councilman Arcara reported that the highway barn roofs have been completed. Town Hall roof is scheduled for repair to replace missing shingles at a cost of \$375. The cost to replace the roof will cost approximately \$11,000 to \$13,000 quotes are being obtained.

Quotes are also being obtained for the General town insurance.

HIGHWAY AND PARKS REPORT

Highway Superintendent Clarkson reported that the new tractor was delivered for the snow removal and is parked at the Senior Center.

Agreement to spend was tabled until the Town Board has reviewed the agreement.

The truck that was going to be purchased for the year 2016 is no longer available the F450 Triton V10 engine will not be available until 2017. There is a diesel engine available at a higher cost of \$7,000 to \$8,000. Valley Fab was contacted and a change was made to the body and the hydraulic clutch pump was removed and a transmission pump will be added. The trade in value was going to be \$15,000 but after talking with Van Bortel they offered a trade in price of \$19,750 and that's an increase and after making changes to the truck the difference now is \$1,503. Bottom line the cost of the vehicle is \$66,253 - \$4,750 and another \$4,000 off from Valley Fab brings the cost down to \$57,503 which is \$1,503 dollars more than what we were going to spend on a gas engine.

Highway Superintendent Clarkson stated that the chassis starts off the same as the Triton V10 the only difference is the V8 engine is \$7,317 more but the difference would be made up through the increase in the trade in value.

MOTION made by Supervisor DePasquale and seconded by Councilman Pietraszek and unanimously approved the purchase of a 2016 Ford F450 diesel truck at a cost of \$42,001 with a trade in value of \$19,750 to be included in the contract.

PLANNING COMMITTEE REPORT

Councilman Hrycik reported that the Planning Board discussed Solar Panels codes and in what direction the Town Board would like to go with Solar Panels.

ENVIRONMENTAL COMMITTEE REPORT

Councilman Pietraszek reported that the Environmental Board reviewed the SEQR for Frank Hrycik's Special Use Permit amendment for his junkyard.

COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the Campout for the Homeless Veterans took place on November 6th thru 8th and donations are still being accepted at the Living Stone Masonic Lodge.

Seniors will be having their last meeting on Tuesday and there last trip on Thursday.

Bethlehem Live will be taking place on December 13th at the Colden Methodist Church on Lower East Hill Road.

LIBRARY REPORT

No report

SOLID WASTE AND NEST REPORT

No report

YOUTH & ADULT RECREATION REPORT

Assistant Recreation Director Jaime Ruhland reported that they would like to approve the hiring of Kalei Brautlacht and Jacob Perkins for floor hockey at minimum wage effective January 1, 2016.

Floor Hockey Appointment

MOTION made by Councilman Zurbrick and seconded by Councilman Arcara and unanimously approved Kalei Brautlacht and Jacob Perkins for floor hockey at minimum wage effective January 1, 2016.

Annual Christmas decorating and tree lighting will be held on December 11th from 6:00pm to 7:30pm at the Senior Center.

STREET LIGHTING REPORT

Councilman Zurbrick reported that there were four streetlights out:

1. Darien Road and Lewis Road which has been reported out multiple times
2. Lower East Hill Road
3. Knapp Road
4. Heath Road

If you have a street light out you may go to the NYSEG website and file an outage report.

William Montgomery asked about the removal of the street lights on Center Street and Holland Glenwood Road where the curves were and now that the curved section has been done away with could the Town save money to do away with the extra street lights.

Supervisor DePasquale stated that he would have his Secretary check on the removal of the streetlights

PERSONNEL COMMITTEE REPORT

Councilman Zurbrick reported that the tenth training for the year was completed and all but seven people did not complete the training.

Supervisor DePasquale stated that he will check with other towns to see what they do if their volunteers or employees do not complete the training.

DOG CONTROL REPORT

No report

Supervisor DePasquale stated that we will have to find out if Christa and Matt Pouthier are still interested in the position as Dog Control officers due to the fact that there has were no reports for the last couple of months.

Supervisor DePasquale instructed Town Clerk Kerlin to place an ad in the Springville Journal for letters of interest for a Dog Control Officer and Historian with a deadline of January 4, 2016.

CODE ENFORCEMENT OFFICER REPORT

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

- 7 Building Permits Issued
- 1 First Notice of Violation
- 1 Order to Remedy Violation
- 2 Court Appearances
- 1 Phone Complaint

A house on Holland Glenwood Road is being cleaned up and is on the fourth dumpster of trash removed from the property.

A resident on Darien Road was contacted on cars parked in the front yard the removal will be done by December 15th.

WATER COMMITTEE REPORT

Councilman Pietraszek reported that the 2" valve on Lower East Hill Road was sticking open causing increase pit pressure and thus causing the relief valve to dump pressure and water. Greg has scheduled a repair date of December 17th with the manufacture to come out and fix the valve.

- Hydrant poles have been placed on the hydrants
- Reminder to residents to clear the snow away from the hydrants
- Water was shut off to a home on Boston Colden Road the home is in a bank receivership
- A homeowner on Boston Colden Road was contacted on a possible leak or water running due to elevated usage no reply
- 3 new hookups and billings to 2 homes on State Road and I on Lower East Hill Road

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS:

None

BUDGET TRANSFER

MOTION made by Councilman Arcara and, seconded by Councilman Zurbrick, and unanimously approved to transfer the following generals funds as follows:

From: A1620.2 Capital Outlay	\$4,749.68
Into: A7110.4 Parks Contractual	\$4,749.68

From: A1620.2 Capital Outlay	\$14,204.26
Into: A8090.4Environmental Contractual	\$14,204.26

MOTION made by Councilman Zurbrick and, seconded by Councilman Pietraszek, and unanimously approved to transfer the following highway fund as follows:

From: DA5110.4 General Repairs	\$5,974.27
Into: DA5130.4 Machinery Contractual	\$5,974.27

TOWN CLERK REPORT

Town Clerk Kerlin asked to set a date for the 2016 Reorganizational meeting and the Regular Town Board meeting.

MOTION made by Councilman Arcara and seconded by Councilman Zurbrick and unanimously approved to set the Town Board Workshop at 6:00pm and the Organizational Meeting and Regular Town Board meeting at 7:00pm on January 7, 2016.

SUPERVISOR’S REPORT

Supervisor DePasquale congratulated Councilman Zurbrick and Councilman Pietraszek on their reelection to the Town Board and looks forward to working with them for the next four years.

PAY THE BILLS:

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

General Fund Warrant Voucher #2015-425 to #2015-462	\$59,151.51
Highway Fund Abstract Voucher #2015-195 to #2015-212	\$27,837.61
Lighting District Voucher #2015-19 to #2015-20	\$ 2,017.78
Refuse District Voucher #2015-72	\$16,969.41
Water District Voucher #2015-74 to #2015-82	\$ 4,585.25

INTRODUCTION

Supervisor DePasquale introduced Springville Griffith Institute School Interim Superintendent Sylvia Root and Business Administrator Ted Welsh were in attendance to present to the Town Board the School's Proposed Capital Project. This project would cover critical systems in need of renovation or repair (roofing, HVAC, ventilation); electrical upgrades; replacing parking lots and sidewalks, better security; new carpeting; asbestos abatement; handicapped accessibility; replacing boilers/heat exchangers; replacing lockers at the Middle School; and at the High School: Technology, Agriculture and Physical Education Instruction Complex; new Library Media Center; and the Conversion of the Current Library Media Center into Large Group Instruction and Credit Union/offices. Also included are mandated repairs at the Concession Stand and replacing the Press box.

PRIVILEGE OF THE FLOOR

Ben Hrycik made some points about the difference in their family's private junkyard and a public junkyard and referred to the Town of Colden Codes for their private junkyard versus the NYS General Municipal Law 136.

ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously adjourned the meeting at 8:56 pm.

Respectfully Submitted,

Christina M. Kerlin,
Town Clerk