

TB Mtg and 2016 Org Mtg  
REGULAR TOWN BOARD MEETING AND  
2016 ORGANIZATIONAL MEETING  
COLDEN TOWN HALL – January 7, 2016

MEETING CALLED TO ORDER AT 7:00 PM  
SUPERVISOR DePASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
FOR JAMES GIETLER, STELLA HROBOCINSKI, TERESA SCHWENK, RICHARD HARE,  
WILLIAM LANTZY, ARTHUR “SKIP” KOSKE FOLLOWED BY THE PLEDGE OF  
ALLEGIANCE.

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

ALSO

PRESENT: Highway Superintendent Paul Clarkson  
Bldg. Insp/Code Enf. Officer John Kotlarsz  
Town Clerk Christina Kerlin  
Approximately 8 Residents

2016 ORGANIZATIONAL MEETING

Page 1 Read by Councilman Zurbrick

1. The elected Town Officials are salaried for the year 2016 as per budget as follows:

Supervisor James DePasquale		\$27,440.00
Budget – Officer		<u>2,230.00</u>
		\$29,670.00
Council Members (4)	Gerald Pietraszek	\$5,203.00
	David Arcara	\$5,203.00
	Patricia Zurbrick	\$5,203.00
	Jesse Hrycik	<u>\$5,203.00</u>
		\$20,812.00
Town Clerk	Christina Kerlin	\$38,381.00
	Highway Clerk Typist	\$2,643.00
	Vital Statistics	<u>\$521.00</u>
		\$41,545.00
Highway Superintendent	Paul Clarkson	\$60,101.00

Town Justice (2)		\$11,380.00
	Michael Schneider Sr.	<u>\$11,380.00</u>
		\$22,760.00

2. Highway employee's salaries for 2016 as per contract are as follows:

MEO	\$24.74 hr	Motor Equipment Operators
MEO	\$37.11 hr	Overtime

3. Be it RESOLVED THAT Ronald Bennett be appointed contractually as Attorney for the Town in accordance with Section 20 (2) (b) to serve as needed throughout the year of 2016 at a flat fee of \$9000.00 general municipal legal services and \$195.00 per hour for court municipal litigation. One (1) year term ending December 31, 2016.
4. Be it RESOLVED THAT Michael & Deborah Barone be appointed as Town Prosecutors at a rate of \$120.00 per hour.
5. Be it RESOLVED THAT Paul Sobkowiak & Steven Lehman be appointed Constables to the Justices for the year 2016. Frank Brady to be appointed as Assistant Constable when regular constables are not available. All constables to serve with compensation of \$17.94 an hour to be paid bi-weekly.
6. Be it RESOLVED THAT Mark Adamchick be the Certified Public Accountant for the Town of Colden for the year 2016 at \$6500.00 per year.
7. Be it RESOLVED THAT Dawn Martin be retained as the Town Assessor at the rate of \$18,000.00 per year.
8. Be it RESOLVED THAT Town Clerk Kerlin appoints Deborah Jusiak as Deputy Town Clerk at a salary of \$28,119.00.
9. Be it RESOLVED THAT Supervisor DePasquale appoints Tammy Nuttle as Secretary/Bookkeeper to the Supervisor at a salary of \$28,119.00.

Page 2 read by Councilman Arcara

10. Be it RESOLVED THAT: Kathy Horschel be appointed as Dog Control/Dog Census Officer with a salary of \$4,711.00 yearly to be paid bi-weekly. The DCO shall assume

responsibility for preparing a monthly report to the Town Board on duties performed with full details according to town code. DCO shall submit a town wide dog census to the Town Clerk no later than August 31, 2016 and will be compensated for mileage at \$.54 per mile. This appointment will take effect on 1-18-16.

11. Be it RESOLVED THAT: Bernard Horschel be appointed as assistant to the DCO with a salary of \$1,591.00 per year. This Position is to oversee and submit a Town wide dog census to the Town Clerk no later than August 31, 2016. This appointment will take effect on 1-18-16

Be it RESOLVED THAT the DCO be authorized to accept and obtain all information and certificates pertaining to the licensing of a canine in order to release a seized canine to the owner outside of regular business hours. All information and certificates collected will be turned over to the Town Clerk on the next regular business day for processing.

12. Be it RESOLVED THAT John Kotlarsz be appointed as Code Enforcement Officer in charge of Zoning & Enforcement with a salary of \$12,020.00 yearly to be paid bi-weekly.
13. Be it RESOLVED THAT Bernard Horschel be appointed to Fire Inspector at the rate of \$50.00 per inspection.

Be it RESOLVED THAT the assistant Code Enforcement Officer position regarding zoning, enforcement of codes will be provided through the shared service agreement with the Village of Springville.

14. Be it RESOLVED THAT Greg Adams be appointed Water Worker at a rate of \$20.00 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

Be it RESOLVED THAT Ron Smith be appointed as Water District Clerk at an hourly rate of \$13.79 per hour to be paid bi-weekly.

Be it RESOLVED THAT Ron Smith be appointed as Assistant Water Worker at an hourly rate of \$11.94 per hour to be paid bi-weekly.

15. Be it RESOLVED THAT Tara Seifried be appointed as Court Clerk with a wage of \$13.79 per hour paid bi-weekly.

Be it RESOLVED THAT Marie Falzone be appointed as Court Clerk with a wage of \$13.79 per hour paid bi-weekly.

Be it RESOLVED THAT Paula Bielat be appointed as Court Stenographer with a wage of \$100.00 for three hours worked to be paid contractually.

16. Be it RESOLVED THAT Kip Palmateer be appointed as Recreation Supervisor at a yearly salary of \$10,851.00 to be paid bi-weekly with no benefits.

Be it RESOLVED THAT Tina Mary be appointed as Recreation Assistant Supervisor at a yearly salary of \$5,425.00 to be paid bi-weekly with no benefits.

Be it RESOLVED THAT Jamie Ruhland be appointed as Recreation Assistant Supervisor at a yearly salary of \$4,917.00 to be paid bi-weekly with no benefits.

17. Be it RESOLVED THAT Tere Feidt be hired as Parks Department employee at a rate of \$17.27 per hour and Frank Brady be appointed as part-time Parks Department employee at a rate of \$12.78 per hour for snow removal from sidewalks.

18. Be it RESOLVED THAT David Kummer be appointed Town Maintenance Worker at a rate of \$24.51 per hour as needed with no benefits. Employee to be paid at the first payroll following service rendered.

Page 3 read by Councilman Pietraszek

Be it RESOLVED THAT Russel Rankin be hired as part-time Cleaner for the Senior Center and the Town Hall at a rate of \$12.30 per hour with no benefits.

Be it RESOLVED THAT Scott Wohlhueter be appointed as Disaster Coordinator and Paul Clarkson be appointed as Assistant Disaster Coordinator.

**WAGES & SALARIES**

RESOLVED THAT HOURLY EMPLOYEES will be paid the following salaries, commencing January 1, 2016 to be paid bi-weekly unless otherwise noted:

Skilled Laborers:	\$10.50 - \$14.20 per hour new employees at bottom of scale
Recreation Workers:	\$9.00 per hour
Tennis Instructor:	up to \$10.50 per hour

Umpires & Referees: \$15-\$18 for Soccer, \$12 for Baseball; \$15 for Floor Hockey  
Board of Assessment Review \$9.00 per hr. or \$50.00 a day for school/review (whichever greater)

19. Be it RESOLVED THAT First Niagara Risk Management, Inc. will be the insurance agent for the Town of Colden for the year of 2016.

Be it RESOLVED THAT this Board approve as the form and amount the Employee's Blanket Bond—which includes the offices of Supervisor & his Secretary, Highway Superintendent, Town Justices, Court Clerk, Town Clerk—Tax Collector, and her Deputy, Peace Officer, Councilmen, Youth Supervisors, Code Enforcement Officers, Dog Control Officer & Emergency Manager and Water Clerk.

Be it RESOLVED THAT the regular monthly meeting of the Colden Town Board shall be held on the second Thursday of each month at 7:00 PM for the regular time and date of the Town Board meeting unless otherwise resolved to change and that the October Board Meeting be held on the (Meetings 2016—October 1st and November 5<sup>th</sup>)

Be it RESOLVED THAT: the Town Board will hold a work session the second Thursday of each month at 6:00 PM at the Town Hall prior to the monthly meeting. If a work session is not necessary and the Town Board does not meet it will be posted on the front door of the Town Hall.

Be it RESOLVED THAT any business to be brought to the attention of the Colden Town Board by any elected or appointed official or by the public be submitted for the agenda 72 hours prior to a meeting.

Be it RESOLVED THAT The Springville Journal be the official newspaper of the Town of Colden for the year 2016.

Be it RESOLVED THAT THE TOWN OF COLDEN BOARD receive a copy of the unapproved Board Minutes (from all Town Boards) for public review within ten business days from the date of such meetings. (Open Meeting Law 106) All Boards to receive a copy of the agenda 48 hours prior to the meeting.

Be it RESOLVED THAT Christina Kerlin be appointed as the Record Access Officer to accept and receive all FOIL requests

Be it RESOLVED THAT the Town of Colden Tax Assessor be authorized to re-levy any unpaid water bills to be submitted prior to November 20<sup>th</sup> of each year

Be it RESOLVED THAT warrants and abstract checks to be paid within terms of invoice or seven days of authorization.

Be it RESOLVED THAT Bank of Holland be designated as the official depository for all Town of Colden funds.

Be it RESOLVED THAT Supervisor DePasquale is authorized to endorse checks, withdraw or transfer funds with the Bank of Holland and Patricia Zurbrick is authorized to endorse checks in the event the Supervisor is absent.

Page 4 read by Councilman Hrycik

Be it RESOLVED THAT Tammy Nuttle is hereby authorized by the Supervisor to obtain information and direct telephone transfers for all Town of Colden Checking and Savings accounts.

Be it RESOLVED THAT: the Investment Policy for the Town of Colden be adopted.

Be it RESOLVED THAT: the Procurement Policy for the Town of Colden be adopted.

Be it RESOLVED THAT: the Supervisor be authorized to invest any surplus monies and tax monies as prescribed by law, wherever most advantageous rates are available.

Be it RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board authorizes payment of claims presented to the Town Board and such voucher shall be accompanied by a statement by the officer who originates the claim that he approves the claim and the services were actually rendered or supplied and the equipment actually delivered in lieu of the verification of the creditor.

Be it RESOLVED THAT pursuant to Section 118 of NY Town Law the Town Board may permit the Supervisor to pay claims for public utilities, insurance, debt service, postage, freight and express charges, before they are audited or reviewed by the Town Board.

Be it RESOLVED THAT the Highway Superintendent be requested to present with all vouchers, signed invoices showing who received what material and on what date.

Be it RESOLVED THAT All officers be permitted to attend meetings of a legal nature and be reimbursed for the costs. Conferences should be told to the town board prior to attendance. Dues for national, state and county associations shall be paid by the Town of Colden from General Funds.

Be it RESOLVED THAT All employee reimbursement requests are submitted within 60 days of said expenditures to be eligible for payment within the budgetary year.

Page 5 read by Supervisor DePasquale

Be it RESOLVED THAT: Any official using his or her automobile while conducting Town Business shall be reimbursed on the basis of \$.54 per mile upon submission of a duly executed voucher, stating the date, reasons for travel and the number of miles. That food allowance for employees who attend business meetings or seminars for the Town of Colden be allowed to \$70.00 per day. Food Allowance for NY City will be \$125.00 a day. Receipts will be required for reimbursement.

Be it RESOLVED THAT Meals on Wheels volunteers for the Town of Colden be reimbursed on the basis of \$.54 per mile, upon submission of a duly executed voucher, stating the date(s) and number of miles.

20. Be it RESOLVED THAT the Tax Collector & Town Clerk retain a petty cash fund of \$100.00 each during 2016, Supervisor retain a petty cash fund of \$200.00 during 2016, The Water District Clerk retains a petty cash fund of \$150.00.

Be it RESOLVED THAT the Town Clerk retain a petty cash fund of \$100.00 during 2016 for collection of Water District Payments.

Be it RESOLVED THAT the Supervisor be authorized to pay the bills for all funds including payroll and the Town Board shall audit the bills every month prior to the Town Board meeting.

Be it RESOLVED THAT the Supervisor shall submit to the Town Clerk within 60 days after the close of the fiscal year a copy of the report sent to the State Comptroller as required by Section 30 of the General Municipal Law; and thereafter a summary of such report to be published pursuant to law. Upon written request from the chief fiscal officer, the comptroller may extend the period for filing such report for an additional sixty days.

21. NEXT ITEMS ARE APPOINTMENTS & COMMITTEES

The appointment of Historian will take place at the February Town Board Meeting.

I appoint David Arcara as Affirmative Action Officer

Town Law Section 6 authorizes the Supervisor to appoint solely in his or her discretion, committees consisting of the members of the Town Board. Since the Supervisor has the discretion in regards to the creation of these committees as well as appointments of the Town Board member, the Supervisor also has the discretion of which matters are referred to the committee.

The following committees for the year 2016 appointed by the Supervisor:

Buildings	Councilman Arcara
Code Enforcement Officer	John Kotlarsz
Community Development	Councilman Zurbrick
Dog control	Councilman Arcara
Environment	Councilman Pietraszek
Highway & Parks	Superintendent Clarkson
Insurance	Councilman Arcara
Library	Councilman Hrycik
Personnel & Training Coordinator	Councilman Zurbrick
Planning	Councilman Hrycik
Water District	Councilman Pietraszek
Youth/Adult Recreation	Councilman Zurbrick

22. RESOLVED THAT attendance at board sessions is an essential responsibility of board members. Failure to attend 70% of sessions is grounds for revocation of appointment. Similarly, failure to meet minimum standards for annual training as established by State Law is considered cause for removal.

RESOLVED THAT Crystal Barrett be appointed as Secretary of the Board of Assessment Review, Planning, Environmental & Zoning Boards with a wage of \$13.39 per hour paid bi-weekly.

23. Planning Boards (7 – 7 Year Appointments)

Meets the 3<sup>rd</sup> Tuesday of each month @ 7 PM

George Reinhardt	December 31, 2016
John Antkowiak	December 31, 2017
Walter Kammer	December 31, 2018
Richard Sheldon	December 31, 2019



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Linda Kotlarz	December 31, 2020
Frank Hrycik	December 31, 2021
Peter Newsom	December 31, 2022

24. Environmental Board (5 – 2 year Appointments)

Meets the 1<sup>st</sup> Tuesday of each month @ 7 PM

Linda Antkowiak	December 31, 2016
Ellen Eigenbrod	December 31, 2017
Deborah Jusiak	December 31, 2017
Deborah Pasco	December 31, 2018
Craig Bouquin	December 31, 2019

25. Zoning Board (5 – 5 year Appointments)

Meets the 3<sup>rd</sup> Thursday of each month @ 7 PM

Peter Frank	December 31, 2017
Bernie Horschel	December 31, 2019
Janet Dillsworth	December 31, 2019
Shawn Webster	December 31, 2020

26. Board of Assessment Review (5 – 5 year Appointments)

Meets the 4<sup>th</sup> Tuesday of May

Craig Bouquin	September 30, 2016
Jill Masset	September 30, 2017
Daneen Vincent	September 30, 2019
Gary Willert	September 30, 2020
John Pasco	September 30, 2020

Supervisor DePasquale stated that the appointment for a Town Historian will take place at the February Town Board meeting and there is an open position on the Zoning Board of Appeals.

Councilman Arcara stated that training attendance should be enforced along with attendance to meetings this year for the volunteer board members. Code Enforcement Officer was added to the Committee reports along with clerical corrections to be made to the 2016 Organizational meeting outline.

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved the 2016 Organizational appointments.

Organizational meeting adjourned at 7:32pm.

Recessed for review of the Town Board Books for the Supervisor/Bookkeeper, Town Clerk/Tax Collector and Town Justices

Supervisor DePasquale called the Town Board meeting back to order at 7:41pm.

## REGULAR TOWN BOARD MEETING COMMITTEE REPORTS

### MINUTES:

MOTION made by Councilman Pietraszek and seconded by Councilman Zurbrick and unanimously approved the December 3, 2015 Town Board Workshop, December 3, 2015 Town Board Meeting and the December 15, 2015 Special Town Board Meeting as presented.

### BUILDING REPORT

Councilman Arcara reported that there is a mysterious beep coming from the boiler room. Supervisor DePasquale stated that the beep is from the dehumidifier when it is full.

### COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that Gabriel's Closet at the Bread of Life is open four days a week.

### DOG CONTROL OFFICER REPORT

No report

### ENVIRONMENTAL BOARD REPORT

No report

Councilman Pietraszek stated that he completed a four hour course on Erosion and Sediment Control with the NYS DEC.

### HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson presented his "Agreement to Spend" for 2016.

MOTION made by Councilman Hrycik and seconded by Councilman Zurbrick and unanimously approved and signed the Agreement to Spend for 2016.

-Town of Eden Highway Superintendent Ron Maggs will be holding a bucket truck training program and Superintendent Clarkson would like the Colden Highway Department to join in on the training program.

Supervisor DePasquale stated that the town's bucket truck should probably be inspected to see if the truck is worth operating before taking the training.

### INSURANCE REPORT

No report

LIBRARY REPORT

No report

Supervisor DePasquale stated that the Erie County Buffalo Library book mobile is planning on coming out to the town on a regular basis starting in the spring.

PERSONNEL & TRAINING REPORT

Councilman Zurbrick congratulated all the new employees and stated that Tammy will be supplying them with their paperwork and employee handbooks.

PLANNING BOARD REPORT

No Report

WATER REPORT

Councilman Pietraszek reported that there was a repair to a 2 inch pressure valve on Lower East Hill Road.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of December – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

- 2 Building permits issued
- 9 Certificate of Compliance
- 1 First Notice of Violation
- 2 Phone Complaints

Solly Brothers Junkyard has cleaned up all the vehicles in the front yard and will remove the rest of the vehicles and junk in the backyard in the spring when the weather conditions improve. Still concern about the house across the street if there is someone back living in the house. John will notify the woman from Erie County Social Services who was out before to check on the situation.

YOUTH/ADULT RECREATION REPORT

Councilman Zurbrick reported that floor hockey starts Friday at 6:30pm and children need to bring eye protection and plastic sticks and mouth guards and shin guards are recommended.

OLD BUSINESS

None

NEW BUSINESS

None

RESOLUTIONS

None

**BUDGET TRANSFERS**

Motion made by Councilman Pietraszek and seconded by Councilman Hrycik and unanimously approved to transfer the following funds.

2015 Highway Budget Transfer Request

FROM: DA5110.4	General Repairs	\$2,188.74
INTO: DA5130.4	Machinery Contractual	\$2,188.74

**TOWN CLERK REPORT**

Town Clerk Kerlin reported that credit cards will be accepted for any Town Clerk fees and Town & County tax bills. There is a service fee of: < \$64.00 = \$1.75  
≥ \$64.00 = 2.75%

**SUPERVISOR'S REPORT**

Supervisor DePasquale wished everyone a Happy New Year and welcomed Councilman Zurbrick, Councilman Pietraszek and Town Clerk Kerlin back to another term and looks forward to working with them.

-Engineer Daniel Blawmowski from Erie County Highway sent an email stating that any stop sign installation would be done by the Town of Colden or Concord. The following recommendations for the upgrades of two signs would be the installation of an advanced warning intersection sign and the installation of a 35 MPH sign for eastbound Crump Road close to the Route 240 intersection so that vehicles entering Crump from 240 have immediate notice of the 35 MPH zone.

-Welcome to all new employees and volunteer board members.

-The Town Board has options for the Town Justice vacancy and after talking with Judge Feroletto who appointed Judge Markello until May 1, 2016. Judge Schneider felt he was confident to finish out the remainder of the year until someone was elected in November or the Town Board could appoint someone to go for the training in February and fill the position till the end of the year and go through the election process.

MOTION made by Supervisor DePasquale and seconded by Councilman Arcara and unanimously reserved the right not to appoint someone to the Judge position and have it go through the election process.

PAY BILLS

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

General Fund Warrant Voucher #2015-463 to #2015-501	\$ 9,433.58
Highway Fund Abstract Voucher #2015-213 to #2015-229	\$ 5,373.36
Lighting District Voucher #2015-21 to #2015-22	\$ 1,979.15
Water District Voucher #2015-83 to #2015-86	\$ 3,484.17

General Fund Warrant Voucher #2016-01 to #2016-09	\$68,035.51
Highway Fund Abstract Voucher #2015-01 to #2016-02	\$45,301.28
Refuse District Voucher #2016-01	\$16,981.68

PRIVILEGE OF THE FLOOR

No comment

ADJOURN

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

Respectfully submitted,

Christina M. Kerlin  
Town Clerk