

TB AUGUST 11, 2016  
REGULAR TOWN BOARD  
COLDEN TOWN HALL – August 11, 2016

MEETING CALLED TO ORDER AT 7:03PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE IN MEMORY OF LAWSON HOLLENBAUGH FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

PRESENT: Councilman David Arcara – absent  
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 11 residents

MINUTES:

MOTION made by Councilman Pietraszek and seconded by Councilman Zurbrick and unanimously approved the July 14, 2016 Town Board Workshop, and the July 14, 2016 Town Board Meeting as presented.

REQUEST TO BE ON THE AGENDA:

1. Butch Hudson & Debra Baker - Removed from the Agenda
2. Todd Shelley

Todd Shelley requested to address the Town Board on a complaint of several dogs barking constantly throughout the night from 10:00pm to 4:00am at a residence on Park Street. There were other neighbors in attendance with the same complaint. Todd has contacted the owner of the dogs and he did apologize but several weeks later the dogs continued to bark all night. Supervisor DePasquale stated that he would ask DCO Kathy Horschel to go up and check on the situation and to have the owner license the dogs.

COMMITTEE REPORTS

BUILDING REPORT

Supervisor DePasquale reported that the concession stand door at the park was rekeyed and the bathroom stall door slide locks were replaced.  
Councilman Pietraszek requested that the bleachers at the town park be revamped since they are in rough shape.

#### CODE ENFORCEMENT OFFICER REPORT

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

- 11 Building Permits Issued
- 1 Certificate of Occupancy
- 1 Court Appearance
- 1 Fire Inspection

CEO John Kotlarsz stated that he is working with the SPCA on a complaint in the town.

#### COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the Food Bank's Mobile Pantry will be at the Bread of Life Outreach on Thursday, August 25<sup>th</sup> from 3:00pm to 5:00pm bring picture ID. Mike Foley has his sunflowers at the Colden Market & Café that you can pick up for a \$1.00 donation. The money goes to the Bread of Life. There is a Senior Trip planned for Thursday, October 6 to Oil Creek & Titusville Railroad the cost is \$40.00 and is due by September 13<sup>th</sup> bus departs at 7am from the Colden Fire Hall and returns at 7:30pm. The Colden Festival will take place on October 1<sup>st</sup> and 2<sup>nd</sup>. Supervisor DePasquale read a letter from the Colden Festival Committee requesting the Colden Town Board update and renew the permit for the public event as well as the opportunity to speak with the Town Board at their September work session.

#### DOG CONTROL OFFICER REPORT

Councilman Hrycik reported that this month the DCO Kathy Horschel is still continuing with the Dog Census. They received a couple of complaints, one for a situation on Park Street and one at the trailer court. They observed both situations and have nothing conclusive to report but will keep both situations flagged. Received a call about a dog on Lewis Road that might be neglected or mistreated as it was seen getting into garbage but on there travels up there they did not find a dog.

#### ENVIRONMENTAL BOARD REPORT

Councilman Pietraszek reported that there was no Environmental Board meeting this month. Erie County Soil & Water met with some of the Town Board members to review the Creek Restoration Project. Town Board will meet at a later date after Town Board members have had a chance to review all the material that was submitted. The Town Board will meet to decide whether to approve the project going out to bid.

#### HIGHWAY REPORT & PARKS

Highway Superintendent Clarkson reported that he has been working with a design engineer for the repair of Darien Road that is washing out. Highway department had an emergency repair job at the top seasonal portion of Murray Hill Road. Chip and sealing of the towns roads are complete for this year. Starting mowing along the sides of the roads. There have been some breakdowns on the trucks so repairs are being made to fix the problems.

Highway Superintendent Clarkson will contact the State about the guard rail in front of the Senior Center that has been driven into.

#### INSURANCE REPORT

No report

#### LIBRARY REPORT

Councilman Hrycik stated that the Bookmobile has been going well and they would like to work with the town on a winter route in case the weather is bad. The Bookmobile will be out at the Colden Festival on Saturday possibly at the parking lot by the Colden Market. West Falls library will not hold a Hot Dog sale fund raising event this year.

#### PERSONNEL & TRAINING REPORT

Councilman Zurbrick reported that recreation summer help has completed the mandatory training for the year.

#### PLANNING BOARD REPORT

Councilman Hrycik reported that the Planning Board is discussing Solar Panel codes to be added and reviewing the Town Code updates for fees and fines.

#### WATER REPORT

Councilman Pietraszek reported that 3 radios have been replaced

- Valves are being exercised

- Water department is looking into replacing the Neptune reader which is outdated a new unit would cost about \$6,500 and they are looking into adding it for the 2017 budget.

- Williamson Law computer program will see a 2% increase for the upcoming year.

- 13 Backflow preventer tests have been completed only 3 are left to be done

- There was discussion about the water usage and who is responsible for paying for the cost of the water that was used for a fire that was on Stanfield Road the owner is not in the Water District.

The Colden Fire District and the Water department and Town Board are working on a resolution to the problem of who will pay for the water usage. The NYS Comptroller's office will also be contacted for their input on this situation.

#### YOUTH/ADULT RECREATION REPORT

Councilman Zurbrick reported that the summer recreation program will finish this week. The staff was thanked for doing a great job this summer. Many of the staff will be moving on to other things next year and we wish them the best of luck. A grant from the US Tennis Foundation was received in the amount of \$300.

#### OLD BUSINESS

None

NEW BUSINESS

Supervisor DePasquale stated that the Standard Work Day and reporting for Elected and Appointed Officials needs to be approved and sent to the NYS Retirement and will need to be posted for 30 days on the board and online. Judge Schneider's name will be corrected and the social security numbers will be redacted when posted.

MOTION made by Councilman Hrycik and seconded by Councilman Zurbrick to approve the Standard Work Day and Reporting of the Elected and Appointed Officials time and forward to the NYS Retirement System.

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

RESOLUTIONS:

1. OUT OF DISTRICT WATER CUSTOMERS

Supervisor DePasquale read the following resolution:

AUTHORIZING INTERMUNICIPAL AGREEMENT  
OUT-OF-DISTRICT WATER CUSTOMERS

WHEREAS, Thomas J. Gottstine and Anne M. Gottstine of 8955 Falls Road, Town of Colden, New York have applied to the Town of Aurora to be out-of-district water customers, and

WHEREAS, the Town of Aurora would be willing to grant an out-of-district permit for water, if the Town of Colden agrees to add any overdue water bills to the owners' annual County/Town tax bill and assessed against the property, and

WHEREAS, the Town of Colden is in agreement to add any overdue water bills to its annual billing to the County

NOW, THEREFORE BE IT

RESOLVED, the Town Board authorizes the Supervisor to execute the Agreement on behalf of the Town of Colden, and be it further

RESOLVED, the agreement will become effective upon the approval by the Town of Aurora, and be it further

RESOLVED, the Town Clerk is directed to send a certified copy of the signed Agreement to the Town of Aurora Town Clerk

Duly adopted this 11<sup>th</sup> day of August, 2016 by the following vote.

Vote: Councilman David Arcara - absent  
Councilman Jesse Hrycik – yes  
Councilman Patricia Zurbrick – yes  
Councilman Gerald Pietraszek – yes  
Supervisor James DePasquale – yes

2. FAIRVIEW TERRACE TO DEAD END – REMOVED FROM THE AGENDA

BUDGET TRANSFERS

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

From: DA5110.41 Fuel	\$3,998.76
Into: DA5110.4 General Repairs	\$3,998.76

TOWN CLERK REPORT

Town Clerk Kerlin reported that hunting licenses are on sale and the deadline for Deer Management Permits is October 1<sup>st</sup>.

There was discussion on appointing a Town Newspaper since the Springville Journal went out of business. Newspapers that were discussed are:

Springville Times  
Buffalo News  
Arcade Herald  
East Aurora Advertiser

Springville Journal may possibly start up again under new management with the Arcade Herald.

MOTION made by Councilman Zurbrick and seconded by Councilman Hrycik to temporarily approve the East Aurora Advertiser as the Towns Official Newspaper.

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

**SUPERVISOR’S REPORT**

Supervisor DePasquale reported that there is a legal matter that is going to the Supreme Court on a tax rate challenge in the town.

Supervisor DePasquale stated that he will be on vacation for a couple of weeks and that Councilman Zurbrick has the authority to sign any checks for pre-pay bills.

**PAY BILLS**

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

General Fund Warrant Voucher #2016-246 to #2016-287	\$18,994.69
Highway Fund Abstract Voucher #2016-119 to #2016-142	\$144,691.09
Refuse District Voucher #2016-34	\$17,775.54
Water District Voucher #2016-37 to #2016-44	\$101,762.64
Lighting District Voucher #2016-15 to #2016-16	\$ 1,727.59

**PRIVILEGE OF THE FLOOR**

Cheri Henning complimented the Recreation department on the way they handle the summer recreation program. However she said the Mom’s that come to pick up their children drive way to fast going up Park Street along with a motorcyclist who drives way to fast around the same time everyday around 6:00pm to 6:30pm.

Councilman Zurbrick was wondering what happened with the crosswalk sign that was in front of the Senior Center and if there was a possibility of obtaining one of the green crosswalk signs that are placed in the middle of the road.

Marilyn Calhoun Allen asked the Town Board if they would consider staying tonight and discuss the creek bank restoration program for approval so as not to delay the work.

Councilman Pietraszek stated Cheryl Schenne is offering a Pistol Permit course that will be provided to the Fire Company and will be open to the Public.

**ADJOURN**

MOTION made by Councilman Zurbrick and seconded by Councilman Hrycik and unanimously adjourned the meeting at 8:59pm.

Respectfully submitted,

Christina M. Kerlin  
Town Clerk

