

TBMtg. November 10, 2016  
TOWN BOARD MEETING  
COLDEN TOWN HALL – November 10, 2016

MEETING CALLED TO ORDER AT 7:06PM.

SUPERVISOR DEPASQUALE OPENED THE MEETING WITH A MOMENT OF SILENCE  
IN MEMORY OF ALICE FOLARON 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 Town Accountant Mark Adamchick  
Bldg. Insp/Code Enf Officer John Kotlarsz  
Highway Superintendent Paul Clarkson  
Rec. Dir. Kip Palmateer  
Town Clerk Christina Kerlin  
Approximately 12 residents

#### MINUTES

MOTION made by Councilman Hrycik, and seconded by Councilman Zurbrick, and unanimously approved to accept the minutes of the 2017 Budget Workshop meeting on September 29, 2016 and the October 13, 2016 Town Board Workshop and the October 13, 2016 Regular Town Board meetings as presented, Councilman Arcara abstained for the approval of the October 13, 2016 Town Board Workshop minutes. A correction was made on page 9 of the Regular Town Board meeting minutes Councilman Pietraszek did not second to adjourn the meeting.

#### PUBLIC HEARING

#### 2017 Preliminary Budget

PUBLIC HEARING OPENED AT 7:09 PM.

Supervisor DePasquale asked if everyone had a chance to obtain a copy of the 2017 Preliminary Budget whether online or from the Town Clerk's office and if there were any questions to the budget. Standard 3% raise to the General, Highway and Water Salary Funds.  
Only changes will be listed:

#### Water District #1

Appropriations	107,056 increased to 200,150
Estimated Revenues	82,200 increased to 87,528
Amount to be raised by taxation	109,122 decreased to 107,122
Tax Rate per Unit	430.53 decreased to 421.74

Water Debt service will stay the same as last year and the water rate will increase to \$4.45 per thousand gallons.

2017 Budget Overall Changes

Appropriations	2,848,956 increased to 2,852,050
Estimated Revenues	830,265 increased to 835,593
Amount to be raised by Taxation	1,279,223 decreased to 1,276,989

Linda Antkowiak asked the Town Board if they would consider donating to the Boston Library as was done a few years back.

Discussion on a donation being made to the Friends of the Boston Library for operating expense or assisting a program at the library instead of to the Boston Library

Supervisor DePasquale asked to change lines:

A1220.2 Supervisor Equipment	1,500 decreased to 1,250
A1220.4 Supervisor Contractual	2,000 decreased to 1,750
A7410.4 Library	500 increased to 1,500

Approve General Fund Line Changes

Motion made by Councilman Pietraszek and seconded by Councilman Zurbrick and unanimously approved the following line changes above to the 2017 Town Budget

Supervisor DePasquale stated that he would check with the State Comptroller's office to make sure the donation acceptable.

Adopt the 2017 Town Budget

MOTION made by Councilman Hrycik and seconded by Councilman Zurbrick and unanimously approved to adopt the 2017 Town Budget.

Once the changes are made a copy will be on file in the Town Clerk's office and placed on the town website.

PUBLIC HEARING CLOSED AT 7:39PM

COMMITTEE REPORTS

BUILDING REPORT

Councilman Arcara reported that two quotes have been received for the replacement of the front door at the Senior Center and clarification is needed on one of the quotes and a third quote is coming. Supervisor Depasquale will contact Pete Lore about the concrete work to be done at the bottom of the front door..

#### CODE ENFORCEMENT OFFICER REPORT

CEO John Kotlarsz gave the following report for the month of October, 2016

- 3 Building Permits Issued
- 10 Certificates of Compliance
- 2 Court Appearances

#### COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that a letter was received from the Department of Transportation on a speed limit reduction on Crump Road between Center Street and Matteson Corners Road that will be posted for 45mph.

- Colden Fire Company is holding a Holiday Gift Fair on Sunday, November 13<sup>th</sup>.
- Annual Christmas ornament and tree decorating will take place on Friday, December 2, 2016 At the Senior Center starting at 6:00pm with caroling and a tree lighting to follow
- December 10<sup>th</sup> Santa will be at the Colden Fire Hall at 6:00pm
- Gabriel's Closet at the Bread of Life is open for the winter months

Councilman Pietraszek stated that the reduced speed limit signs for Holland Glenwood Road have not been posted for 45mph yet. Highway Superintendent Clarkson will check on the posting.

#### DOG CONTROL REPORT

Councilman Arcara read DCO Kathy Horschel monthly report for October 9, 2016 – November 1, 2016. They received several calls this month some questions about dead cats on Rt.219. Responded to a call of a loose dog on Blanchard Road near Rt. 240 but by the time they got there the dog was nowhere to be found.

Had to postpone the ticket about dogs being on the loose on Center Street, the ticket was returned in the mail there would not be enough notice for the resident to attend court. Had a German Wirehaired Pointer in their custody for 5 days she was abandoned and has now been given to a foster family through the National GWP Rescue.

Keeping track on a calendar of work being done during the month as it was discussed at the last meeting, if the Town Board would like this to continue let her know.

#### ENVIRONMENTAL REPORT

Councilman Hrycik reported that there was no Environmental Board meeting.

A Solar Panel Safety and Fire Prevention Seminar will be held at the Colden Fire Hall on Monday, December 19<sup>th</sup> from 6pm – 9pm. The speaker is a professor from Alfred University and the invitation was sent out to surrounding towns.

#### HIGHWAY AND PARKS

Highway Superintendent Clarkson reported that the Erie County has reached an agreement with the towns on the Snow Contract once the contract is received a meeting will be called to approve the contract.

-NYS DOT red flagged the bridge on Mill Street in Glenwood Highway Superintendent Clarkson is trying to contact someone from the railroad to see what is going to be done about the issue. Supervisor DePasquale stated that he has a contact number for the railroad which he will get for him.

-Plow trucks are ready for any snowfall and clearing of right of ways on town roads are being completed.

#### INSURANCE

No report

#### LIBRARY REPORT

Councilman Hrycik reported that the librarian from the bookmobile was happy with the people that came out to the festival and stopped by the bookmobile.

-On the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays starting November 8<sup>th</sup> from 4pm to 8pm the bookmobile will be at the Town Hall for the winter months.

-West Falls Library will have a Wreath Decorating class on Monday, December 5<sup>th</sup> the cost is \$20 per wreath. Pre-register by Dec. 1<sup>st</sup>

-The West Falls Library will have their Annual Tea on Saturday, October 15<sup>th</sup> from 1pm to 3pm with Denise Reichard, this year appearing as Dr. Elizabeth Blackwell, the first female doctor in the US. Refreshments will be served and the cost is \$10 per person.

-On Saturday, November 5<sup>th</sup> at 1pm Tom Schobert from the Springville Civil War Museum returns to present a program called “The Alamo and the Western NY connection. No Charge

#### PERSONNEL & TRAINING REPORT

No report

#### PLANNING COMMITTEE REPORT

Councilman Hrycik reported that Planning Board member John Antkowiak has resigned do to time constraints and professional commitments so moving forward the Town Board will be looking to find someone to finish out the term year to 2018.

-Planning Board discussed the potential upcoming codes for Solar Panels and NY States fast track plan for residential Solar Panels and change it for larger scale Solar Panels. The moratorium on the land for Commercial Solar Power Projects will expire on December 27, 2016. Therefore an extension of the moratorium was discussed for another six months to establish a code for commercial solar panels.

Set a Public Hearing on a Six Month Moratorium on Commercial Solar Power Projects

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek and unanimously approved to hold a Public Hearing on Thursday, December 8, 2016 at 7:00pm at the Colden Town Hall to extend the moratorium on Commercial Solar Power Projects for six months.

WATER COMMITTEE REPORT

Supervisor DePasquale reported that the Neptune reader is still having issues the cost for a replacement reader has been added to the 2017 budget.

- Replacing radios as needed
- Hydrants exercised and markers being replaced on the hydrants if needed
- Valves need to be repaired before winter should be repaired and maintained every 8 years and the town is going on 11 years without being repaired.
- Ross Valves gave an estimate to service and repair 1 – 2” pilot valve and 2- 8” pilot valves at cost of \$5,000. And then they will be done on a rotating schedule.
- Annual RPZ checks are in progress, waiting on 2
- Relevy done and posted
- A resident inquired about the water line being extended on State Road
- Bills have been sent out
- Relevy – 18 accounts outstanding
- Chlorine residuals are back where they should be

YOUTH & ADULT RECREATION REPORT

Recreation Director Kip Palmateer read the following report that flyers were sent out through the Colden Elementary School announcing floor hockey. A Christmas event is being planned for December 2<sup>nd</sup>. Information can be found on the town website.

Approve Hockey Staff

MOTION made by Councilman Zurbrick and seconded by Supervisor DePasquale and unanimously approved Max Solly and Caylene Mary for floor hockey staff at minimum wage.

OLD BUSINESS

None

NEW BUSINESS

Debit Card 1

Supervisor DePasquale stated that there are times that a credit card is needed and it would only be attached to the general fund checking account. The only persons authorized to use the card would be the Supervisor and Councilman Zurbrick because she is designated in the absence of the Supervisor to approve any spending. The card would be used for ordering website and email

updates that require a credit card. The restricted credit card would follow the \$1,000 limit on the procurement policy.

Debit Card Approval

MOTION made by Councilman Hrycik and seconded by Councilman Arcara and unanimously approved a debit card for the use of secure services on the internet or website or email updates which are not available to the town. The card would not be used on pre-pays or cash withdrawals and would need approval from the Town Board before being used.

RESOLUTIONS:

Supervisor DePasquale read the following resolution:

RESOLUTION #2016-07

HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM

A Resolution Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS TOWN OF COLDEN

Herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, HEREIN called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE,  
BE IT RESOLVED BY TOWN BOARD

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

2. That TOWN OF COLDEN, SUPERVISOR JAMES P. DePASQUALE,

Or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.
4. That two (2) Certified Copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

MOTION made by and Seconded by Councilman Pietraszek and seconded by Councilman Zurbrick: On the Vote: Councilman David Arcara - yes  
Councilman Jesse Hrycik – yes  
Councilman Patricia Zurbrick – yes  
Councilman Gerald Pietraszek – yes  
Supervisor James DePasquale – yes

RESOLUTION #2016-08  
RELEVY UNPAID WATER BILLS

WHEREAS, The Town of Colden has 18 delinquent Water accounts in the amount of \$3,762.48, remaining unpaid, including late charges;

NOW THEREFORE, BE IT RESOLVED: That no further payments will be accepted after October 31, 2016, and any and all unpaid water accounts as of this date, be relevied onto the 2017 Town of Colden Property Taxes.

MOTION made by and Seconded by Councilman Zurbrick and seconded by Councilman Arcara: On the Vote: Councilman David Arcara - yes  
Councilman Jesse Hrycik – yes  
Councilman Patricia Zurbrick – yes  
Councilman Gerald Pietraszek – yes  
Supervisor James DePasquale – yes

**BUDGET TRANSFER**

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

From: DA5110.4 General Repairs	\$3,415.50
Into: DA5130.4Machinery Contractual	\$3,415.50
From: A1410.4Town Clerk Contractual	\$418.00
Into: A1460.4Records Management.	\$418.00

**TOWN CLERK REPORT**

No report

**SUPERVISOR’S REPORT**

Supervisor DePasquale reported that John Antkowiak has resigned from the Planning Board and was thanked for his years of service on the board.

-An unsigned letter was received about the survey that was put in the fall new letter about the land that is up for sale next to the town park. If anyone has a complaint they can feel free to come and see me in confidence about any problem in the town but he will not acknowledge this letter or any letter that is not signed.

**PAY THE BILLS:**

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

General Fund Warrant Voucher #2016-373 to #2016-406	\$18,621.39
Highway Fund Abstract Voucher #2016-155 to #2016-171	\$ 8,456.74
Refuse District Voucher #2016-37	\$17,700.06
Water District Voucher #2016-63 to #2016-67	\$ 6,081.16
Lighting District Voucher #2016-21 to #2016-22	\$ 1,944.32

**PRIVILEGE OF THE FLOOR**

Linda Antkowiak asked if there could be more events listed on the Town’s website calendar section. Supervisor DePasquale will set up a time for Tammy to receive the information to be placed on the town’s website.

Supervisor DePasquale wished everyone a Happy Veteran’s Day and Thanksgiving Day.



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ADJOURN

MOTION made by Councilman Hrycik and seconded by Councilman Pietraszek and unanimously adjourned the meeting at 8:21pm.

Respectfully Submitted,

Christina M. Kerlin,  
Town Clerk