

2013 PH for CDBG and Town Board Meeting and 2013 Budget Workshop
PUBLIC HEARING FOR 2013 COMMUNITY DEVELOPMENT GRANT FUNDS
FOLLOWED BY THE REGULAR TOWN BOARD MEETING AND FOLLOWED BY
THE 2013 BUDGET WORKSHOP
COLDEN SENIOR CENTER – October 4, 2012

MEETING CALLED TO ORDER AT 7:00PM

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

ROLL CALL – PRESENT

Councilman David Arcara
Councilman Gerry Pietraszek
Councilman Patricia Zurbrick
Councilman Patrick Murphy
Supervisor Annie Hoffman

ALSO PRESENT

Town Accountant Mark Adamchick
Town Justice William Montgomery
Asst. Bldg. Insp/Code Enf. Officer Greg Adams
Highway Superintendent Paul Clarkson
Town Clerk Christina M. Kerlin
Approximately 21 residents

AMEND AGENDA

Supervisor amended tonight's agenda to include Local Law Intro. No. 2-2012
Moratorium on Horizontal Drilling and Hydraulic Fracking.

MINUTES

MOTION made by Supervisor Hoffman, seconded by Councilman Arcara and
unanimously approved to accept the Special Town Board Meeting Minutes of the August
30, 2012 and September 6, 2012 as presented.

PUBLIC HEARING

2013 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

PUBLIC HEARING OPENED AT 7:04 PM.

-The Town Clerk read the Public and Posted Notice.

-Supervisor Hoffman opened the Public Hearing for 2013 Community Development
Block Grant Funds. She explained that these funds are available for projects that would
benefit specific economically disadvantaged people such as seniors, handicapped or low
income families.

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Public Comments –

- Resident said the ramp in front of the Town Hall would be a good project.
- The Town Board discussed and decided on the following projects.

- 1) Rural Metro Van Service.
- 2) Generator System for the Senior Center
- 3) Exercise Equipment for the Senior Center Fitness Room
- 4) Handicap Ramp in front of the Town Hall

PUBLIC HEARING CLOSED AT 7:08 pm.

DECISION ON PUBLIC HEARING

MOTION made by Supervisor Hoffman and seconded by Councilman Zurbrick to adopt the following Resolution.

RESOLUTION #2012 - 09
2013 COMMUNITY DEVELOPMENT GRANT FUNDS

WHEREAS, at a meeting of the Colden Town Board held on October 4, 2012, at 7:00 pm, the Town Board of the Town of Colden authorizes Supervisor Annie M. Hoffman to sign, submit and execute a contract with Erie County Development Grant Program for the following projects upon approval of ECCDBG Funds.

- 1) Rural Metro Van Service
- 2) Generator for the Senior Center
- 3) Exercise Equipment for the Senior Center Fitness Room
- 4) Handicap Ramp in front of the Town Hall

Duly adopted this 4th day of October, 2012, by the following vote.

Vote: Councilman David Arcara - yes
Councilman Gerald Pietraszek – yes
Councilman Patricia Zurbrick – yes
Councilman Patrick Murphy – yes
Supervisor Annie Hoffman – yes

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Supervisor Hoffman stated that at the September 13, 2012, Public Hearing for Local Law Intro. No. 2-2012 a moratorium on Horizontal Drilling and Hydraulic Fracking a vote was not taken and at tonight's meeting she would like to make a Motion to approve the proposed Local Law Intro. No. 2 -2012.

MOTION made by Supervisor Hoffman and seconded by Councilman Murphy to approve Local Law Intro. No. 2-2012 to put the second proposed Moratorium on Horizontal Drilling and Hydraulic Fracking in the Town of Colden.

Duly adopted this 4th day of October, 2012, by the following vote.

Vote: Councilman David Arcara - yes
Councilman Gerald Pietraszek – yes
Councilman Patricia Zurbrick – no
Councilman Patrick Murphy – yes
Supervisor Annie Hoffman – yes

BUILDING COMMITTEE REPORT

Councilman Arcara reported the doors at the Highway garage have been ordered and installation will take place when received.

Town Hall ladies bathroom toilet was replaced.

INSURANCE COMMITTEE REPORT

No Report

CABLE COMMITTEE REPORT

Councilman Arcara asked to set a Public Hearing on the Cable Franchise Agreement for November 8, 2012 at 7:00pm at the Colden Town Hall.

Time Warner Cable notified the Town of a Connect NY Broadband Grant. Time Warner Cable would like the Town to submit a Franchise letter of support for the expansion of broadband in the Town. Letter has been submitted by Supervisor Hoffman.

HIGHWAY & PARKS COMMITTEE REPORT

Highway Superintendent Paul Clarkson reported that he is working on having the utility poles removed on Heath Road, town plows are 14 foot wide and when the trucks pass that area on Heath Road it is a dangerous situation with the blind grade.

A resident asked who is responsible for maintaining the sidewalks. The matter is being looked into whether the Town or NYSDOT is responsible.

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YOUTH & ADULT RECREATION

Councilman Zurbrick reported that recreation is still accepting registrations for Floor Hockey and Lacrosse for youth, and Yoga and Zumba for adults.

Lacrosse for beginners started on September 22. There are currently 9 children signed up. Collecting a database for registration fees on out of Town participation in youth programs.

Looking at various park signs, (metal, wood, and plastic) from neighboring Towns for a comparable to be placed at Kummer Park

PLANNING COMMITTEE REPORT

No Report

ENVIRONMENT COMMITTEE REPORT

Councilman Pietraszek reported that on Saturday October 20 from 8:00am to 12:00noon the Environmental Board will hold a Recycling Day Event at the Colden Highway Barn for electronics, car and boat batteries, and scrap tires. Hazman will also be collecting Household Hazardous Waste.

COMMUNITY DEVELOPMENT REPORT

No Report

PERSONNEL COMMITTEE REPORT

Councilman Zurbrick reported updating the Personnel Policy to format one font and numbering of the pages and placing a copy in a folder for each employee with the employee complaint and disposition forms, and Blood Borne Pathogens, Workplace Violence and Harassment Policy's.

Jennifer from Erie County reported no updates on the termination of the County website she will keep the town posted in case we would like to go back to using their website.

Supervisor Hoffman said right now the towns' website has been taken over by I-Evolve and has now received the domain name and transferring the server and working on updating e-mail addresses.

SOLID WASTE COMMITTEE REPORT

Councilman Murphy reported renegotiating the contract with Waste Management

The Waste Management Contract renewal will have a 2.5% increase and will include a Rewards program where residents will be able to receive credit at local businesses and various stores and restaurants in the area. A representative will be at the next workshop to give a presentation on the Rewards Program.

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NEST REPORT

Ken Heiler said they did not have a quorum and nothing could be accomplished it was a short meeting.

LIBRARY COMMITTEE REPORT

Councilman Arcara reported the Fall and Winter hours for the Library:
Monday 7pm-9pm, Tuesday 3pm-5pm, Wednesday 7pm-9pm, Thursday 10am-Noon,
Story Hour Thursday 10:30am-11:30am, Saturday 10am-1pm.

STREET LIGHTING REPORT

Councilman Zurbrick reported 5 street lights out for the month of September, Veterans Wall timer is off due to an electric outage needs to be reset, Historical Light out at the Country Store.

DOG CONTROL OFFICER REPORT

Councilman Arcara reported a small terrier mix dog found on Darien Road, dog on Lower East Hill Road fines collected, 2 more roads completed for the dog census, and a letter will be sent to dog owners from the DCO that are way overdue.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of September, 2012 – Asst.Bldg. Insp/Code Enf. Officer Greg

Adams reported that there were -

12 Building Permits

4 Certificates of Compliance

1 Order to Remedy Violation

Supervisor Hoffman asked Asst. CEO Greg Adams about Colden Lakes Campground and site number nine which is not to be used and how that site will be enforced.

Asst. CEO Greg Adams said he will go up and see that it has been shut down and he also stated that it would be a good idea to define a platform, what material, height and how many platforms per site, some trailers have two doors and also where the platforms will be stored in the winter months.

WATER COMMITTEE REPORT

Councilman Pietraszek gave the following report –The Town of Colden has 13 delinquent Water accounts in the amount of \$4,698.88 payments can be made up to October 29, 2012 after which they will be relieved onto the 2013 Town of Colden Property Tax.

Leak detection is ongoing Dan from New York Rural Water will be coming out next week again, the leak is narrowed down to around the school. Erie County Water Authority has offered to come out and help out with the leak detection. The next quarterly billing will come out November 1, 2012 and the Town has 270 customers.

Relevy Unpaid Water Bills

Councilman Pietraszek read the Resolution for the Relevy of Unpaid Water Bills:

On the question Councilman Murphy asked if the residents have been notified.

Councilman Pietraszek said they have been sent letters and it was stated on the last water bill.

**TOWN OF COLDEN
COLDEN N.Y. 14033**

**RESOLUTION #2012 – 10
RELEVY UNPAID WATER BILLS**

WHEREAS, The Town of Colden has 16 delinquent Water accounts in the amount of \$5,129.22, remaining unpaid, including late charges;

NOW THEREFORE, BE IT RESOLVED: That no further payments will be accepted after October 29, 2012, and any and all unpaid water accounts as of this date, be relevied onto the 2013 Town of Colden Property Taxes.

The adoption of foregoing Resolution was moved by Councilman Pietraszek and seconded by Supervisor Hoffman and duly put to a roll call vote which resulted as follows:

Duly adopted this 4th day of October, 2012, by the following vote.

Vote: Councilman Arcara – yes
Councilman Pietraszek – yes
Councilman Zurbrick – yes
Councilman Murphy – yes
Supervisor Hoffman - yes

CENSUS COMMITTEE REPORT

No report

DIRECTOR OF VETERAN AFFAIRS

No report

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Memorial Park Walkway

Supervisor Hoffman said the cutoff to purchase a brick for the Veterans Memorial Park Walkway will be November 15, 2012.

OLD BUSINESS

Waste Management Contract Renewal

Supervisor Hoffman read the Resolution:

**TOWN OF COLDEN
COLDEN N.Y. 14033**

**RESOLUTION #2012 – 11
EXTENSION OF THE PRESENT REFUSE AND RECYCLABLE CONTRACT
WITH WASTE MANAGEMENT FOR TWO YEARS,
FROM JANUARY 1, 2013 TO DECEMBER 31, 2014**

WHEREAS, Waste Management has agreed to extend the Refuse Contract for the Town of Colden for an additional two years.

WHEREAS, the extension of present contract for Solid Waste and Recycling will run from January 1, 2013, to December 31, 2014.

WHEREAS, the monthly rate will increase by 2.5% for 2013.

WHEREAS, Waste Management will implement the Recycle Bank Program at no charge.

NOW, THEREFORE, BE IT RESOLVED that Supervisor Hoffman is hereby authorized to sign the extension of the contract with Waste Management for Solid Waste and Recyclable material in the Town of Colden from January 1, 2012 to December 31, 2014.

Duly adopted this 4th day of October, 2012, by the following vote.

Vote: Councilman Arcara – yes
Councilman Pietraszek – yes
Councilman Zurbrick – yes
Councilman Murphy – yes
Supervisor Hoffman - yes

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NEW BUSINESS

None

RESOLUTIONS

None

BUDGET TRANSFERS

MOTION made by Supervisor Hoffman and seconded by Councilman Arcara and unanimously approved the following Budget Transfer to cover the completion of Road Project in Seneca Brook.

To: DD5110.4 General Repairs	\$78.00
From: DA5130.4 Machinery Equipment	\$78.00

TOWN CLERK REPORT

Flu Shots – Flu Shots will be given on Tuesday, October 9, 2012, from 10am to 2 pm at the Town Hall.

AARP Driving Courses – Andrew Wiencek was in attendance at tonight’s meeting.

He presented information to the Town Board regarding AARP Driving courses to those

16 years of age or older October 24 & 25 from 6pm – 9pm

October 27 from 9am – 3:30pm

November 5 & 6 from 6pm – 9pm

November 10 from 9am – 3:30pm

November courses are free to Veterans, Veteran’s wives, widows, widowers and Veteran’s Dependent children.

Cost AARP members \$17.00

Non - members \$19.00

Pre-Registration only, Maximum 30 per class.

SUPERVISOR’S REPORT

Army Corp of Engineers is nearing completion on the study for streambank restoration on the creek behind the Town Hall an updated letter has been sent out seeking approval for assistance.

PAY BILLS

MOTION made by Supervisor Hoffman, seconded by Councilman Pietraszek and unanimously approved to pay the following bills.

General Fund Warrant Voucher #2012-379 to #2012-407	\$11,877.16
Highway Fund Abstract Voucher #2012-103 to #2012-114	\$ 8,900.87
Lighting District Voucher #2012-16	\$ 265.62
Refuse District Voucher #2012-35	\$15,971.40
Water District Voucher #2012-43 to #2012-45	\$ 4,456.42

PRIVILEGE OF THE FLOOR

Marilynn Calhoun-Allen asked if the new property Judy Brown has purchased was going to be joined to her Campground.

Supervisor Hoffman said she would have to apply for a Special Use Permit to expand her campground first.

Resident asked for the Master Plan to be placed on the Towns Website.

Resident asked Councilman Zurbrick why she voted no on Local Law Intro. #2-2012

Councilman Zurbrick said she has issues on the one paragraph and would like to speak to Town Attorney Ronald Bennett and have not had the opportunity yet and personally just not comfortable with the moratorium at this point.

Resident was confused on why the Town Board voted on the moratorium tonight she thought that a committee was to be formed to explore different options for a new moratorium.

Supervisor Hoffman explained that the moratorium was to expire on October 11, 2012 and the Town Board thought that it best to have a moratorium in place while the new committee explores new options for a new moratorium.

Resident asked about a lawsuit that the Town received from National Fuel the day before and if that had anything to do with why the Town Board took a vote tonight and could she explain the lawsuit.

Supervisor Hoffman said that National Fuel was going to file a lawsuit but when the moratorium was written up this time it included protection of National Fuels storage fields only and National Fuel retracted the lawsuit.

Councilman Murphy said the committee to be formed will look at the best way to protect the Town and with the moratorium in place that gives us 6 months to have a solid plan to be put in place.

Resident asked what are the plans for the committee and when will they meet.

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Supervisor Hoffman said that Ron Fraser will contact the members to set up a time and the Town Board along with the committee will meet with Ray from National Fuel at the next Town Board workshop.

ADJOURN

Supervisor Hoffman adjourned the meeting at 8:04 pm.

2013 BUDGET WORKSHOP

Opened 2013 Budget Workshop at 8:10pm

GENERAL FUND REVENUES

Supervisor Hoffman began the 2013 Budget workshop by reading each line beginning with Account #A1090 to Account #A3820 for General Fund Revenues.

GENERAL FUND APPROPRIATIONS

Supervisor Hoffman read the General Fund Appropriations.

Only changes made to accounts will be listed.

A1010.1 Town Board Personnel Services (4) – 3% raise from \$19,045. to \$19,6165.

A1110.1 Justice Personnel Services (2) – 3% raise from \$20,828. to \$21,453.

A1110.11 Justice Personnel Staff 1 - 3% raise from \$4,496 to \$4,631

A1110.12 Justice Personnel Staff 2 – 3% raise from \$4,766 to \$4,909

A1220.1 Supervisor – 3% raise – from \$25,865. to \$26,641.

A1220.11 Supervisor Staff – 3% raise – from \$23,136 to \$23,830.

A1340.1 Budget Officer – 3% raise – from \$2,102. to \$2,165.

A1345.1 Water Administration – 3% raise – from \$140 to \$144.

A1355.1 Assessor – 3% raise – from \$21,454. to \$22,098.

A1410.1 Town Clerk – 3% raise – from 35,124 to \$36,178.

A1410.11 Town Clerk Staff – 3% raise from \$20,475 to \$21,089.

A3510.1 Dog Control P.S. – 3% raise from \$4,312 to \$4,441 plus \$1545 for the Asst. DCO to conduct Dog Census.

A3620.1 Code Enforcement Officer – 3% raise from \$11,000 to \$11,330.

A3620.11 Asst. Code Enforcement Officer – 3 % raise from \$3,500 to \$3,605

A3620.12 Asst. Code Enforcement Officer – 3% raise from \$2,000 to \$2,060

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A5010.1 Highway Super- Personnel Services – 3% raise from \$55,000 to \$56,650

A5010.11 Highway Clerk – 3% raise from \$2,418 to \$2,491

A4020.1 Registrar of Vital Statistics – 3% raise from \$477 to \$491.

A7110.1 Parks Personnel Services – 3% raise from \$15,004 to \$17,864.

A7310.1 Youth Personnel Services – 3 % from \$19,860 to \$19,973.

A7310.11 Youth Personnel Services – Staff 3% from \$9,274 to \$10,037

A7510.1 Historian – Personnel Service – 3% raise from \$316 to \$ 325

A1620.1 Town Hall Cleaner – 3% from \$11.25 to \$11.48/hr.

A1620.1 Town Hall Maintenance – 3% from \$22.44 to \$22.89/hr.

A1620.1 Snow Plowing –at \$11.94/hr.

Total adjusted General Fund Appropriations

ADJUSTED GENERAL FUND FIGURES

Appropriations	\$834,492
Estimated Revenues	\$646,995.
Appropriated Fund Balance	\$187,497.
Amount to be raised by Taxation	-0-

DA5110.1 General Repairs Personnel Services - 3% raise from \$85,460 to \$88,023

DA5142.11 Snow Removal Personnel Services – 3% raise from \$82,108 to \$84,572

HIGHWAY FUND

Totals for Highway Fund Balance and Appropriations changes will be stated.

Highway Budget Appropriations \$706,153.

Highway Revenues \$65,300.

Appropriated Fund Balance 100,000.

(General)

Appropriated Fund Balance 50,000.

(Highway)

\$215,300.

Amount to be raised by Taxation \$490,853.

Tax rate per Thousand of Assessed Valuation 4.07

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STREET LIGHTING

Totals for Street Lighting Revenues and Expenditures

Street Lighting Budget Appropriations \$26,000.

Less Estimated Revenues \$ 125.

Appropriated Fund Bal - 0-

- .0 -

Amount to be raised by Taxation \$25,875.

Tax rate per Thousand of Assessed Valuation .34

REFUSE

Totals for Refuse Revenues and Expenditures

Refuse Budget Appropriations \$197,545

Estimated Revenues \$300.

Appropriated Fund Balance -0-

Amount to be Raised by Taxation \$197,245.

Units Billed 1,402

Tax Rate per Household \$140.69

WATER DISTRICT #1

Totals for Water Revenues and Expenditures

Water District #1 Fund Appropriations - \$197,760.

Estimated Revenues \$66,800

Appropriated Fund Balance \$21,028

\$87,828

Amount to be raised by Taxation \$109,932

Unit billed 255

Annual Tax Rate per Unit \$ 431.11

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MOTION made by Councilman Arcara and seconded by Councilman Zurbrick to approve the changes to the 2013 Budget as presented at the Town Board Budget Workshop.

On the vote: Councilman Murphy – yes
Councilman Zurbrick – yes
Councilman Pietraszek – yes
Councilman Arcara – yes
Supervisor Hoffman – no

Supervisor Hoffman said she could not vote yes because she did not agree with the 3% wage increase across the Board for employees.

ADJOURN

Supervisor Hoffman adjourned the meeting at 10:30pm

Respectfully submitted

Christina M. Kerlin
Town Clerk