

TB Mtg Dec 17, 2013
TOWN BOARD MEETING
COLDEN TOWN HALL – December 17, 2013

MEETING CALLED TO ORDER AT 6:05 PM

SUPERVISOR HOFFMAN OPENED THE MEETING WITH THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

ROLL CALL

PRESENT: Councilman David Arcara – arrived at 6:24pm
Councilman Gerry Pietraszek – yes
Councilman Patricia Zurbrick – yes
Councilman Patrick Murphy – arrived at 6:15pm
Supervisor Annie Hoffman – yes

ALSO PRESENT: Town Justice William Montgomery
Highway Superintendent Paul Clarkson
Bldg. Insp/Code Enf. Officer John Kotlarsz
Asst. Bldg. Insp/Code Enf. Officer Gregory Adams
Town Clerk Christina Kerlin
Approximately 17 residents

Amend Agenda

Supervisor Hoffman amended the agenda to include the Highway Agreement to Spend and Snow Removal at the Fire Hall.

BUILDING COMMITTEE REPORT

No report

INSURANCE COMMITTEE REPORT

Supervisor Hoffman met with the insurance broker and changed insurance companies to receive a better rate. The Town was with the Trident Insurance Company and the rate for 2013 was \$21,059.00 this year it would have been \$28,567.00. The Town was put into a different risk pool American Public Risk at a rate of \$24,726.00 and it includes the Prime Binder with the policy.

CABLE REPORT

No report

HIGHWAY & PARKS REPORT

Highway Superintendent, Paul Clarkson reported that –
He is presenting the “Agreement to Spend” form for 2014.

MOTION made by Supervisor Hoffman and seconded by Councilman Pietraszek to approve the 2014 Agreement to Spend form from Highway Superintendent Paul Clarkson.

On the vote:

Councilman Arcara – absent
Councilman Pietraszek – yes
Councilman Zurbrick – yes
Councilman Murphy – absent
Supervisor Hoffman – yes

Town Highway Association put together a Shared Service Agreement for the Erie County Towns the Agreement will be sent to the Towns that Colden Highway works with.

Shared Service Agreement

MOTION made by Supervisor Hoffman and seconded Councilman Zurbrick to approve the Erie County, New York Inter-Municipal Highway Shared Services Agreement.

On the vote:

Councilman Arcara – absent
Councilman Pietraszek – yes
Councilman Zurbrick – yes
Councilman Murphy – absent
Supervisor Hoffman – yes

Snowplowing the Fire Company

Supervisor Hoffman read a memo from the Town Attorney:

For a Town to provide services to the Fire District which provides service through the Fire Company, there would have to be an inter-municipal agreement between the Town and the Fire District. Since a Fire District may enter into municipal cooperation agreements only with other Fire Districts, there can be no agreement between the Town and Fire Districts for snow removal. (20 Op.St.Compt., Page 31; Op. St. Compt. 1981 No. 81-10).

The exception to the foregoing is when there is a Fire Protection District in which the Town contracts with the District for fire services. Under those circumstances, a contract between the Town and the Fire Protection District could involve agreed services.

Highway Superintendent Paul Clarkson read an agreement that was made previously with the Town of Colden and the Colden Fire Company.

Supervisor Hoffman stated that last year I told you to stop and again this year I told you to stop.

Discussion continued on snowplowing the Fire Company and Fire Hall parking lots the Town Board will hold off any decisions until they have met with the Town Attorney and discussed with the Fire Commissioners.

YOUTH & ADULT RECREATION

Councilman Zurbrick reported the recreation Christmas ornament and cookie decorating went well and the children enjoyed their ride down to the Fire Hall on a horse drawn wagon.

MOTION made by Councilman Zurbrick and seconded by Councilman Pietraszek to approve Jessica Wojtkowiak to help with floor hockey at a rate of \$7.25 an hour starting in January.

On the vote:

- Councilman Arcara – absent
- Councilman Pietraszek – yes
- Councilman Zurbrick – yes
- Councilman Murphy – absent
- Supervisor Hoffman – yes

PLANNING COMMITTEE REPORT

Councilman Pietraszek reported that an architect is working on plans for the proposed grove on Center Street and will forward the information to the Planning Board once completed.

-Planning Board is up to date with training.

ENVIRONMENTAL COMMITTEE REPORT

No report

COMMUNITY DEVELOPMENT REPORT

Councilman Zurbrick reported that the Meals on Wheels training took place last week for the volunteers.

Suzanne Crotty placed a box in the foyer for donations to The Renaissance Campus in memory of Zach Crotty who lost his battle with prescription drug addiction.

PERSONNEL COMMITTEE REPORT

No report

SOLID WASTE COMMITTEE REPORT

No report

NEST REPORT

No Report

LIBRARY COMMITTEE REPORT

No report

STREET LIGHTING REPORT

No report

DOG CONTROL REPORT

Councilman Arcara reported that the DCO has possession of a chocolate lab and are trying to locate the owner.

CODE ENFORCEMENT OFFICER REPORT

Report for the month of November, 2013 – Bldg. Insp/Code Enf. Officer, John Kotlarsz reported that there were:

3 Building Permits Issued

3 Certificates of Compliance

The group home on Holland Glenwood Road is open.

FIRE INSPECTOR REPORT

No report

WATER COMMITTEE REPORT

Councilman Pietraszek reported that Sergi Construction is lined up for Thursday to install a 3 inch pressure relief valve in the vault behind the Town Hall. Water service will be shut off Thursday from the Town Hall to the customers down Route 240 and off of Route 240 from approximately 9am to 3pm estimated time is 4 hours of work but we will go with 6 hours. The restaurants have been notified and the water worker will contact the residents.

Out of District Water Agreement

Councilman Pietraszek has talked with Town Attorney Ron Bennett about approving the contract for Mary and Mike Spagnola for out of water district customer agreement to approve the contract as amended and the Town Attorney will put in the added verbiage. The amendments to the contract would be: On page 4 item #9 “The quarterly fee and cost per 1000 gallons may vary from time to time relative to District customer fee changes and on Exhibit “B” it would state “Typical Out Of Water District Charge assuming an average 10,000 gallons per quarter usage”.

\$100./ quarter minimum charge + \$10./1000 gallons

Therefore: \$100./qtr.+ (\$10./1,000 gallons for 10,000 gallons = \$100.) = \$200./qtr.

\$200./qtr. X 4 qtrs. = \$800./year

The Town Attorney stated that the deed is only in Mary's name and the agreement is to be signed by both Mary and Mike Spagnola.

MOTION made by Councilman Pietraszek and seconded by Supervisor Hoffman and unanimously approved the Out of District Water Agreement with Mike and Mary Spagnola with the above mentioned amendments to be included in the contract.

Water Regulations

Councilman Pietraszek stated that in the Colden Water Regulations for water services to be installed there is a charge of 20% on top of the cost which would be very expensive for a new service.

Elma Water District charges a flat rate of \$40. to \$50. per hour for the water worker to go out and inspect the project while the water service is being installed.

The \$40. or \$50. would more than cover the cost of the hourly wage of the worker and the administrative costs.

The Town Board will look into maybe changing the cost from 20 % to the \$40 or \$50. hourly rate.

DIRECTOR OF VETERANS AFFAIRS

Ken Heiler reported that the VFW will continue for the year 2014.

EMERGENCY MANAGER REPORT

Jody Feidt stated that she will be available from December 23rd to January 1st to reschedule the required training for the employees that have not completed the training.

Discussion took place on the date and if the training could wait until after the first of the year.

Jody Feidt met with Jay Lewandowski and he went over the general program and training requirements under common OSHA/PESH standards that should be completed by the town employees.

Jody Feidt thanked Supervisor Hoffman and Councilman Murphy for all the research they did with what is all involved with emergency management.

OLD BUSINESS

MINUTES

MOTION made by Supervisor Hoffman, seconded by Councilman Pietraszek and unanimously approved to accept the minutes of the November 7,2013 Town Board Meeting minutes as presented with a correction on page 2, Erie County Snow Removal Agreement 2015 – 2016 snow season rate should be \$3,707.76 per lane mile not \$3,599.77.

NEW BUSINESS

SAIA Portable Two-Way Radio

Supervisor Hoffman explained that 2 way portable radios were budgeted for this year for the Emergency Manager and would like the Town Board to approve the purchase of the radios not to exceed \$2,000.

MOTION made by Supervisor Hoffman and seconded by Councilman Murphy and unanimously approved the purchase of 2 way portable radios and antennae.

Water Clerk Position

Councilman Pietraszek reported that Water Clerk Kimberly Reichert has put in her notice the position will be advertised.

BUDGET TRANSFERS

General Budget Transfers

MOTION made by Supervisor Hoffman, seconded by Councilman Murphy and unanimously approved to transfer funds as follows:

FROM	A1620.2	Capital Outlay	\$3,696.24
INTO	A1010.4	Town Board Contr.	29.83
	A1320.4	Audit & Accounting	400.00
	A3120.4	Sheriff Sub-Station	55.60
	A3310.4	Traffic Control	133.88
	A8010.4	Zoning	28.88
	A9010.8	Retirement	1,585.58
	A9040.8	Workmans Comp	271.15

FROM	A3510.2	Dog Control Equipment	\$330.24
INTO	A3510.4	Dog Control Contr.	330.24

TOWN CLERK'S REPORT

No report

SUPERVISOR'S REPORT

Supervisor Hoffman reported that Andrew Weincek contacted her about the recent AARP Defensive Driving Class there were 51 students over 3 classes, a reported average savings of \$300. over the 3 years, one student saved \$1,600. by combining all home and vehicle insurances. Thank you to Judge Victoria Zach for her time to talk about traffic court. Next year would like to hold classes in October and have 90 students. Price increase for 2014 AARP members \$20. and \$25. for non-members.

Supervisor Hoffman stated that she is very proud to have served as Town Supervisor for the last 4 years and proud of the work she has done. To Supervisor Elect she will leave the Town Supervisors office in order and that she is the Supervisor until midnight on December 31st and will not do anything detrimental to the office or to the people who elected her or anything that would impede Supervisor elect secession as the Supervisor. In the transition I will provide all information that is prescribed by law. Supervisor Hoffman stated that she has taken her responsibility as Chief Fiscal Officer very seriously and leaving the Town in better fiscal condition that it has ever been. To Jim she would like him to know that she guarantees that there are positive parts to the job that will make up for all the negative ones that they did for her and serving the people of Colden with their concerns and finding solutions to their problems was the most rewarding. Supervisor Hoffman wishes Jim DePasquale well.

PAY BILLS

Paying of the bills was done by phone approval on December 12th do to the cancellation of the Town Board meeting that night because of the bad weather.

Water District Voucher #2013-82 to #2012-88	\$11,085.79
Lighting District Voucher #2013-21 to #2013-22	\$ 2,082.64
General Fund Warrant #2013-433 to #2013-476	\$17,914.66
Highway Fund Abstract #2013-141 to #2013-157	\$23,114.54

PRIVILEGE OF THE FLOOR

Not on agenda for tonight's meeting.

ADJOURN

MOTION made by Supervisor Hoffman to adjourn the meeting at 7:02pm.

Respectfully submitted,

Christina M. Kerlin
Town Clerk

