

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Monday, August 16, 2021 at 11:00 A.M. Supervisor Adamski called the Meeting to Order and Councilwoman Pautler led in the Pledge of Allegiance. The Roll Call was taken by the Town Clerk.

PRESENT: Dean Adamski, Supervisor
Gina Waiss, Councilwoman
Colleen Pautler, Councilwoman

RECORDING SECRETARY: Alecia Barrett, Town Clerk

OTHERS PRESENT: Jennifer Strong, Town Attorney
Chris Snyder, CEO
Mike Metzger, Town Engineer
Mike DeWitt, Planning Board
Lenny Weglarski, DCO
Residents

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of August 2, 2021

CARRIED

Ayes 3 Adamski, Waiss & Pautler
Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, SECOND BY COUNCILWOMAN WAISS, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS #710 - 773 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$12,500.07		\$12,500.07
HIGHWAY FUND "DA/DB"	\$53,564.32		\$53,564.32
PART-TOWN FUND "B"	\$3,897.16		\$3,897.16
CONSOLIDATED WATER "WR"	\$6,496.88		\$6,496.88
SPECIAL FIRE PROTECTION "SF"	\$41,697.90		\$41,697.90
WATER DIST. #1 FUND "WA"			
WATER DIST.EXCHANGE ST. "WX"			
SEWER DIST. #2 FUND "SA"	\$191.94		\$191.94
TRUST & AGENCY "T"	\$9,350.95		\$9,350.95
SPECIAL REFUSE FUND "SR"	\$39,004.19		\$39,004.19
STREET LIGHTING FUND "SL"	\$3,840.12		\$3,840.12
PERIWINKLE LTG. DIST."SL1"	\$56.05		\$56.05
ZOELLER RD. WATER DIST. "WZ"			
TOTAL	\$170,599.58		\$170599.58

THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON AUGUST 16, 2021 AND

ADOPTED

Ayes 3 Adamski, Waiss & Pautler
Nays 0

BUSINESS FROM THE FLOOR

Laura Loehr, 13369 Henskee Rd – Flag on the “Town Park” sign is a blue line flag; believes this should be an American flag. Supervisor Adamski will look into this.

COMMUNICATIONS

Alecia Barrett, Town Clerk

1. Request from Townline Lutheran Church group to do a road cleanup; further discussion at next work session
2. NYS Dept. of Transportation has received our request for a traffic study at Genesee & North Millgrove
3. WEBR, AM 1440 is requesting to be added to our list to receive news releases; further discussion at next work session

Jennifer Strong, Town Attorney

1. Received request from Planning Board to review cell phone tower laws

11:05 PUBLIC HEARING FOR PROPOSED FIRE DISTRICT CONTRACTS WITH TOWNLINE, CRITTENDEN & MILLGROVE VOLUNTEER FIRE DEPARTMENTS

Councilwoman Pautler motioned and Councilwoman Waiss seconded the motion to enter into Public Hearing; all were in favor.

Notice of Public Hearing was read by the Town Clerk

Supervisor Adamski stated the object of the Public Hearing is for those interested to comment on the proposed contracts.

The following residents spoke during the Public Hearing:

- | | |
|---|---------------------------------|
| Paul Loehr, Henskee Rd. | Ryan Airey, Elm St. |
| Ruth Rimbeck, Broadway. | Doug Becker, Exchange St. |
| Ron Gardner, Genesee | Christine Schmidt, Westwood Rd. |
| Mike Manicki, Village Mayor | Larry Turner, Henskee Rd. |
| Terry Becker, Main St. | Larry LaDuca, Sandridge Rd. |
| Melissa Goff, Lavender Ln. | Nelly Turner, Henskee Rd. |
| Mike Rismond, Hodgson & Russ | Scott Sitzman, Crittenden Rd. |
| Sarah Miller, Irving. | |
| Brett Sitzman, Alaura. | |
| Laura Loehr, Henskee. | |
| Don Stoffel, Old Three Rd. | |
| Steven Kasperczak, Deputy Chief Townline VFD. | |
| Judy Hotchkin, Creekside Dr. | |
| Chris Trapp, Briarwood Ct. | |

The following concerns/statements were voiced:

- Why is the Village of Alden, Hook & Ladder, not included in these negotiations?

- Why was the meeting moved to 11am on a Monday?
- Increase in cost of homeowners insurance is a concern
- The Board was questioned if they had ever experienced a house fire?
- Questioned why the boundary line agreement was decided upon by the Town Board, when historically the fire companies have made that decision
- How many homes are in each district?
- Questioned continuance clause not included in contract
- What happens if an agreement is not reached with Hook & Ladder?
- Does the Board negotiate with Lancaster for Townline VFD or Townline VFD?
- What is the relationship between the Board and Hook & Ladder?
- Are all volunteer fire companies audited?
- Why is this happening now?
- What are the improprieties of Hook & Ladder that continue to be mentioned?
- How much will the Crittenden substation cost?

Residents asked the Board not to approve the three contracts until all four could be decided on. They requested a public hearing be held for all four in the evening when more people can attend. Councilwoman Waiss assured those present that the next public hearing will be held in the evening. Supervisor Adamski stated negotiations are still ongoing with Hook & Ladder. He also addressed the substation for Crittenden being included in the contract was an error and it will be struck from the contract.

Councilwoman Pautler motioned and Councilwoman Waiss seconded the motion to leave the public hearing; all were in favor.

NEW BUSINESS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Town of Alden is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 ("CSLRF");

WHEREAS, before receiving a payment, the Town Board is required to formally accept the CSLRF funds;

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law;

WHEREAS, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the Town of Alden must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Alden Town Board hereby accepts and requests CSLRF funding; and
2. The Town of Alden affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and
3. The Town of Alden will comply with procedures created by the State of New York and the US Treasury Department to receive funds under the act; and
4. The Town of Alden will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

5. The Alden Town Board designates and directs the Supervisor to take all actions necessary on behalf of the Town Board to receive the CSLRF funds.
6. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Paulter
Nays 0

THE FOLLOWING MOTION WAS OFFERED BY SUPERVISOR ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED COUNCILWOMAN PAUTLER, TO WIT;

Motion to approve the request of Alden Central School Varsity Volleyball to use the Town Park for a Chicken BBQ fundraiser on September 2, 2021 from 12 pm until 7 pm.

The School is responsible for complying with all Town, County, State and Federal Rules and Regulations regarding the CoVid-19 Pandemic and for obtaining any needed food service Health Permits from the County Health Department.

The School has submitted proof of insurance.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler
Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILWOMAN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR ADAMSKI, TO WIT;

Motion to approve the request of Alden Central School to use the athletic field on the southwest corner of the Town Park from 3.00 pm until 5.30 pm weekdays from August 23, 2021 until October 15, 2021 for JV soccer practice. The School will line the soccer field.

The School is responsible for complying with all Town, County, State and Federal Rules and Regulations regarding the CoVid-19 Pandemic.

The School has submitted proof of insurance.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler
Nays 0

THE FOLLOWING MOTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

Motion to approve the request of the Alden Substance Abuse Coalition to use the basketball courts in the Town Park on August 25, 2021 from 2 pm until tournament end for a basketball tournament.

The Coalition is responsible for complying with all Town, County, State and Federal Rules and Regulations regarding the CoVid-19 Pandemic and for obtaining any needed food service Health Permits from the County Health Department.

All tournament participants must sign Waivers, to be filed with the Town Clerk.

The Coalition has submitted proof of insurance.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Town Board is considering the establishment of a new Water District, proposed Water District # 5, which may provide municipal water to all un-watered portions of the Town of Alden, outside the boundaries of any existing water districts of the Town and outside of any incorporated Villages; and

WHEREAS, the Town Board prior to going forward with the establishment has determined that it is necessary to have a general map and plan prepared in advance of the establishment of the proposed Water District # 5.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby authorize the appropriation of the sum of no more than \$3,200.00 from the general fund to provide for the cost of preparation of a map and plan by Metzger Civil Engineers, the Town Engineers, in accordance with the requirements of Section 192 of the Town Law; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN WAISS, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR ADAMSKI, TO WIT;

WHEREAS, Patrick Eck has filed an Application for a Home Occupation Permit to sell firearms from his residence at 1203 Greenfield Drive, Alden, New York;

WHEREAS, the Applicant possesses a valid Federal Fire Arms License; and

WHEREAS, the Town Board, pursuant to Section 365-65(B) of the Alden Town Code is required to call a public hearing on the Application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. A Public Hearing on the Home Occupation Permit Application of Patrick Eck be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on September 7, 2021 at 7:05 P.M. Local Time;
2. The necessary Notice of Public Hearing, as required by Section 365-65(B) of the Alden Town Code be published in the Alden Advertiser; posted on the Town Bulletin Board; and mailed to the adjacent property owners, which Notice shall be in the form attached hereto and made a part hereof; and
3. This Resolution shall take immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

THE FOLLOWING MOTION WAS OFFERED BY SUPERVISOR ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOAMN WAISS, TO WIT;

Motion to adjourn for Attorney Client privilege session with regard to fire contracts.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Alden Town Board having on the 16th day of August, 2021 commencing at 11:05 A.M. duly held a public hearing for the purpose of considering new contracts for the years 2022-2026 with the Town Line Volunteer Fire Department, Inc.; Crittenden Volunteer Fire Department, Inc.; and the Millgrove Volunteer Fire Department, Inc.; each of which said contracts shall be for fire protection to "Town of Alden Fire Protection District," and having heard all persons desiring to be heard in the matter and the matter of said contracts for such fiscal years having been fully discussed and considered.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:

1. The Town Board be and hereby is authorized to execute said contracts with attached boundary line agreements, copies of which are on file in the office of the Town Clerk, on the terms and conditions contained therein, for the fiscal year beginning January 1, 2022; and
2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

POLLED AND ADDED WITH NO OBJECTIONS

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR ADAMSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Alden Town Board on November 19, 2020 adopted its 2021 Budget;

WHEREAS, the Town of Alden needs to transfer money to allow for payment of item as outlined below; and;

WHEREAS, this budget transfer will not render the Town of Alden insolvent;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

The Alden Town Board hereby authorizes the following transfer:

From (Budget Code)	Amount	To (Budget Code)	General Explanation	Amount
SA.9710.0700	\$2,354.21	SA.8130.0429	Sewer line repair	\$2,354.21
A.9950.0901	\$10,000.00	A.7550.0400	Bi-centennial celebrations	\$10,000.00
			Total	\$12,354.21

This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, at a regular meeting on August 16, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Jennifer Strong, Town Attorney – circulated new language for Peddler’s Permit and violence prevention policy; discuss further at next Work Session

Gina Waiss, Councilwoman – will not be at next Work Session.

Mike DeWitt, Planning Board – working with Jennifer on the cell tower updates

UNFINISHED AND TABLED BUSINESS

NOTICE OF MEETINGS

WORK SESSION:

August 24, 2021

@7:00 PM

REGULAR BOARD MEETING

September 7, 2021

@7:00 PM

MEMORIAL REMEMBRANCE - Stephen Roll and Mary Steinman

ADJOURNMENT

At 1:48 P.M. Supervisor Adamski adjourned the Meeting.

Alecia Barrett
Town Clerk