

The Regular Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, NY on Tuesday, October 19, 2021 at 7:00 P.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
Mike Metzger, Town Engineer
Lenny Weglarski, DCO
Chris Snyder, CEO
Colleen Rogers, Deputy Town Supervisor
Residents

Councilwoman Pautler Moved and Councilwoman Waiss seconded the Motion to approve the Minutes and Synopsis of the Regular Meeting of October 5, 2021 and Special Meeting Minutes of October 12, 2021.

On the question; one change to an October 5th meeting attendees name.

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 #916 - 957 **ALL BILLS REVIEWED BY THE TOWN BOARD.**

<u>ACCOUNT</u>	<u>AMOUNT</u>		
	ABSTRACT #1	ABSTRACT #2	TOTAL
GENERAL FUND "A"	\$7,304.87		\$7,304.87
HIGHWAY FUND "DA/DB"	\$6,517.87		\$6,517.87
PART-TOWN FUND "B"	\$3,880.44		\$3,880.44
CONSOLIDATED WATER "WR"			
SPECIAL FIRE PROTECTION "SF"	\$43,832.90		\$43,832.90
WATER DIST. #1 FUND "WA"			
WATER DIST.EXCHANGE ST. "WX"			
SEWER DIST. #2 FUND "SA"	\$571.44		\$571.44
TRUST & AGENCY "T"	\$8,633.06		\$8,633.06
SPECIAL REFUSE FUND "SR"	\$36,038.31		\$36,038.31
STREET LIGHTING FUND "SL"	\$4,215.16		\$4,215.16
PERIWINKLE LTG. DIST."SL1"	\$72.22		\$72.22
ZOELLER RD. WATER DIST. "WZ"			

TOTAL

\$111,066.27		\$111,066.27
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THE FOREGOING RESOLUTION WAS PUT TO A ROLL CALL VOTE ON OCTOBER 19, 2021 AND

ADOPTED

Ayes 3 Adamski, Waiss & Pautler

Nays 0

BUSINESS FROM THE FLOOR

Laura Loehr, Henskee Rd. – Inquired as to why the Budget Hearing was not being held at this meeting? She was previously advised it would be on 10/19 but was not notified there had been a change. Supervisor Adamski apologized for not notifying Mrs. Loehr of the change as he was the one to tell her when the public hearing was going to be scheduled.

Mark Drogi, Walden Ave. – Did not address the Board but provided several handouts to meeting attendees.

7:05 PUBLIC HEARING FOR Use of Federal Community Development Funds

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 possible uses for the Federal Community Development Funds. Deputy Supervisor Rogers noted that this is the grant that was received to get the senior center kitchen done (previously).

Suggested uses made by seniors were: updated restrooms, new flooring that is non-slip and durable, and exercise equipment.

Seniors present for the Public Hearing:

Judy Downhower	Holly Prior	Judy Bowman
Ron Bowman	Linda Ludwig	Jane Behrend
Helen Brown	Ladine Nice	Larry Nice
Ron Mayer	Sandy Simon	Charlie Holcomb
Bob Wohlgemuth	Colleen Rogers	Dennis Nichols
Bob Rebman	Chris Snyder	Colleen Pautler

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

7:13 PUBLIC HEARING FOR submission(s) for CARES ACT Community Development Block Grant application(s)

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

Deputy Town Supervisor Rogers stated this grant is for bigger projects and the purpose of the Public Hearing is to get input from the seniors on projects they would like to see completed.

Seniors voiced their desire for a new Senior Center that can accommodate their large group. Their meetings typically draw 60-85 attendees. In a new Senior Center they would like to see: a computer room, larger main meeting room, a library, more open space for exercise class.

Seniors questioned where a possible new center would be located. Deputy Supervisor Rogers asked CEO Snyder to give a brief description of plans. He noted the location as directly behind the existing center. The picnic shelter as well as concession stand would have to be relocated. The new center would be 5 to 6 times larger than the existing center. Several members of the senior group suggested visiting local municipalities to view their center's for more ideas.

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

COMMUNICATIONS

Jennifer Strong, Town Attorney

1. Received response from audit and control (Cayuga Creek); responded to questions asked and have not heard back yet.

NEW BUSINESS

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

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

WHEREAS, the Town of Alden Highway Department request a revenue budget line increase of \$56,869.97 in DB 3501.0000 to maximize the payment received from NYS CHIPS Aid;

WHEREAS, the Town of Alden Highway Department requests the additional increase in the expenditure line DB 5112.0449 and DB 5112.0449.1000 in the amount of \$56,869.97 to allow for the expenditures in the 2021 budget;

WHEREAS, increasing the appropriated revenue and expenditure lines will not render the Town insolvent.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

The Alden Town Board hereby increases by \$56,869.97 the expenditure line DB 5112.0449 and revenue line DB 3501.0000 to record the additional CHIPS Aid.

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 October 19, 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 Alden Town Board of 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
A.1990.0400	\$1,181.95	A.1410.0201	Town Clerk Computer Software	\$1,181.95
			Total	\$1,181.95

The 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 October 19, 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, the Budget Officer of the Town of Alden on September 30, 2021, duly filed the Tentative Budget of said Town (including special districts) for the fiscal year beginning January 1, 2022 with the Town Clerk of said Town; and

WHEREAS, the Town Clerk of the Town of Alden duly presented the Tentative Budget to the Town Board on October 1, 2021;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. That the Tentative Budget is hereby approved as and shall become the Preliminary Budget of the Town of Alden for the fiscal year beginning January 1, 2022;
2. That said Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Alden, 3311 Wende Road, Alden, New York 14004 and be made available by her to the public for inspection during regular business hours;
3. That a Public Hearing on the Preliminary Budget of the Town of Alden for the Year 2022, be held by the Alden Town Board at the Alden Town Hall, 3311 Wende Road, Alden, New York on November 2, 2021, at 7:05 P.M. Local Time;
4. That the necessary Notice of Public Hearing upon the Preliminary Budget, as required by Section 108 of the NYS Town Law be published in the Alden Advertiser, the official newspaper of the Town of Alden, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof; and
5. 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 October 19, 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;

WHEREAS, the Town of Alden and the Town of Marilla agree that it is in the best interests of their residents and that it is cost effective for both municipalities to share Senior Citizen Lunch Programs and senior citizen transportation services;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That the Alden Town Board does hereby authorize Supervisor Adamski to enter into and execute all necessary documents to effectuate an Intermunicipal Agreement in the form attached hereto with the Town of Marilla for shared Senior Citizen Lunch Programs and senior citizen transportation services; 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 October 19, 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 COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Alden Town Board is considering an application by Paul Marzec for the subdivision of two lots. The entire parcel currently consists of approximately 2.1 vacant acres at Two Rod Road, in the Town of Alden, further identified as SBL# 129.00-2-5.212. The first proposed lot ("Parcel A") will be approximately 100' x 353'; the second proposed lot ("Parcel B") will also be approximately 100' x 353' and the remainder will be attached to an adjacent parcel (The "Proposed Action");

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town Board believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to subdivision; the agency with the broadest governmental powers for investigating the impact of the Proposed Action; has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority; and

WHEREAS, the Town Building Inspector has provided notice to the Erie County Division of Planning for this Proposed Action, as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA.
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.
3. 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 October 19, 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 adopt the attached two COVID policies regarding the use of Town Facilities, effective immediately: one for County Sponsored Programs and one for non-County Sponsored Programs.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 5, 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 COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Highway Superintendent has informed the Town Board that a new fence extension is needed behind the Highway Garage, specifically 96 linear feet of 6 foot high vinyl fencing; the estimated cost of which is more than \$10,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, three quotes were requested and received as follows:

the highest bidder is Wood Smith Fence Corporation at \$8,800.00;

the second highest bidder is Picket Fence at \$8,295.00 and

the lowest bidder is Excel Fence at \$7,148.00.

WHEREAS, Excel Fence is the lowest responsible bidder; and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the new fence.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the hiring of Excel Fence to install a new vinyl fence at the Highway Garage as per the attached specification, at a total cost of \$7,148.00;
2. Excel Fence must pay NYS Prevailing wages to any non-owner employees and must comply with all labor law requirements and postings prior to starting any work and must provide proof of liability insurance to the Town prior to starting any work; and
3. The Highway Superintendent is authorized to sign any and all necessary documents to effectuate this purchase and installation; and
4. 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 October 19, 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 COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Town Highway Department has noticed the need to Purchase a new international truck and grapple attachment and would like to purchase this equipment pursuant to Contract #8996 Onondaga County Piggyback Contract from International;

WHEREAS, the Town of Alden's Procurement Policy & Procedure Guidelines and the General Municipal Law have been followed through purchase from the piggyback contract;

WHEREAS, The Town Board after full and careful review and consideration finds the request to replace the baseball scoreboard as being consistent with its policies and in the interest of the residents of the Town of Alden.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board approves the purchase of a new International Truck with grapple attachment pursuant to the specifications dated September 17, 2021 at a cost of \$180,146.80 from International with delivery in 2022;
2. That Highway Superintendent Bill Rogers is authorized to sign any and all necessary documents to effectuate this purchase; and
3. 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 October 19, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

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

ORDERED, that a hearing before the Alden Town Board shall be held at the Alden Town Hall, 3311 Wende Road, Alden, New York at 7:10 p.m. on the 2nd day of November, 2021, for the purpose of hearing all persons interested in the proposed Local Law No. 3 of the Year 2021 entitled ""Local Law to Opt-Out of Allowing Cannabis Retail Dispensaries and On-Site Consumption Sites as Authorized under Cannabis Law §131""; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Alden Advertiser, designated by the Town as its official newspaper for this publication, such publication to be not less than ten days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than ten days before the date of the Public Hearing; and

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 3 of the Year 2021 entitled ""Local Law to Opt-Out of Allowing Cannabis Retail Dispensaries and On-Site Consumption Sites as Authorized under Cannabis Law §131"" , available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing adoption was duly put to a vote on roll call, at a regular meeting on October 19, 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 COUNCILWOMAN WAISS, TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering an application, by Zoladz Construction Company Inc. for site plan approval of two proposed storage buildings at the northeast corner of Broadway and Two Rod Road, in the Town of Alden, further identified by SBL # 118.00-2-13.2; 118.00-2-14.12; and 118.00-2-14.11 (The "Proposed Action");

WHEREAS, the Town Board of the Town of Alden has determined that the Proposed Action is an Unlisted Action under SEQRA but has determined that it is in the public interest to conduct a coordinated review;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking decisions as to site plan approval; is the agency with the broadest governmental powers for investigating the impact of the Proposed Action; and has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority; and

WHEREAS, the Town Building Inspector has provided notice to the Erie County Division of Planning, for this proposed site plan approval, as required under Section 239-m of the General Municipal Law and has given notice of Lead Agency to the involved agencies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the proposed site plan approval is an Unlisted Action under SEQRA;
2. The Town Board has determined that it should be the Lead Agency for all environmental review of the site plan approval; and
3. 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 October 19, 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 COUNCILWOMAN WAISS, TO WIT;

Motion to establish Trick or Treat hours in the Town on Sunday 10/31/2021 from 6pm until 8pm.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 19, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

POLLED AND ADDED WITH NO OBJECTION

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

Motion to allow Alden students to use the Joe Panza Trail on Sat. Oct. 30th 2021 for a Halloween Event. Hours will be between 6:00pm – 9:00pm. Supervision will be provided by teachers, parents and Coalition members.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 19, 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 COUNCILWOMAN PAUTLER, TO WIT;

WHEREAS, the Town Board of the Town of Alden is considering the adoption of Local Law No. 3 of the Year 2021, entitled “Local Law to Opt-Out of Allowing Cannabis Retail Dispensaries and On-Site Consumption Sites as Authorized under Cannabis Law §131” (the “Proposed Action”);

WHEREAS, the Town Board of the Town of Alden feels that the Proposed Action is an Unlisted Action under SEQRA;

WHEREAS, the Town of Board of the Town of Alden believes that the Town of Alden is: the agency primarily responsible for undertaking such decisions; is the agency with the broadest governmental powers for investigating the impact of the Proposed Action; and has the greatest capacity for providing the most thorough environmental assessment of the Proposed Action; and is the most local agent with permitting authority; and

WHEREAS, the Building Department has sent notice to the Erie County Division of Planning as required under Section 239-m of the General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board has determined that the Proposed Action is an Unlisted Action under SEQRA and that a uncoordinated review shall be conducted.
2. The Town of Alden Code Enforcement Officer is directed to send notice of this

resolution to Erie County Division of Planning.

3. The Town Board has determined that it should be the Lead Agency for all environmental review of the Proposed Action.

4. 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 October 19, 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 COUNCILWOMAN PAUTLER, TO WIT;

Motion to enter into Executive Session for personnel issues.

The question of the adoption of the foregoing motion was duly put to a vote on roll call, at a regular meeting on October 19, 2021, which resulted as follows:

CARRIED.

Ayes 3 Adamski, Waiss & Pautler

Nays 0

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Jennifer Strong, Town Attorney – working on the new water district and Cayuga Creek with Mike, Colleen and Bill; working on pulling everything together.

Colleen Rogers, Deputy Town Supervisor – Thanked the seniors for coming out and sharing their thoughts on the grant opportunities. Trash carts are on order but delayed. PTO from Primary school has reached out to see if the Town would buy surplus parks equipment.

Mike Metzger, Town Engineer – Waiting on feedback for HVAC project at the Community Center. Still working on ways to offset cost to residents in Cayuga Creek water district. Thanked Jennifer Strong for continuing to pursue the Comptroller’s Office for answers.

UNFINISHED AND TABLED BUSINESS

A. Resolution to authorize NYS WIIA Grant per S/DA

NOTICE OF MEETINGS

WORK SESSION:	October 26, 2021	@7:00 PM
REGULAR BOARD MEETING	November 2, 2021	@7:00 PM

MEMORIAL REMEMBRANCE -

ADJOURNMENT

At 8:48 P.M. Supervisor Adamski adjourned the Meeting.

Alecia Barrett
Town Clerk